



**EXHIBIT A**

**CLARK REGIONAL WASTEWATER DISTRICT**

**EMPLOYEE HANDBOOK**

**Adopted 01/26/10**

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05/17/22; 08/08/22; 02/28/23; 12/31/23; 02/12/24; 12/23/24; 05/01/25; 08/16/25;  
12/23/25**

## WELCOME TO CLARK REGIONAL WASTEWATER DISTRICT

I would like to take this opportunity to welcome you to the Clark Regional Wastewater District. We trust that your employment with our agency will be a mutually rewarding experience.

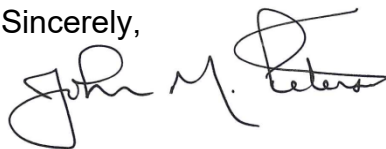
The Employee Handbook outlines the District's personnel policies. The handbook should prove to be very helpful in explaining our approach to these matters and is intended to establish clear expectations and consistent practice. Recognizing that employees are the foundation of any successful organization, our elected Board of Commissioners has consistently supported developing personnel policies that allow us to attract and retain outstanding staff.

Along with an open-door policy, we encourage active communication. Please feel free to discuss any questions you may have about these items with your direct supervisor, department manager, Human Resources, or the General Manager.

Our organization is committed to providing challenging and interesting work, encouraging growth in our staff, holding ourselves to high professional and ethical standards and celebrating our many successes. We value our staff tremendously, and we cannot separate the success of our employees as professionals and the success of the District as an organization.

Again, to new staff, welcome aboard. To those current employees simply receiving an updated handbook, we greatly appreciate your continued service.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Peterson". The signature is fluid and cursive, with the first name "John" being the most prominent.

John M. Peterson

General Manager

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## **SECTION 1**

### **INTRODUCTION TO THE DISTRICT**



## History of the District

The Clark Regional Wastewater District is a special-purpose district that was founded on May 22, 1958, by a group of businessmen to meet the growing needs of the area's population. The District operates under Washington State Title 57 RCW. It has a three-member Board of Commissioners who each serve six-year, staggered terms and are elected by the public within its service area.

The District service area contains over 700 miles of sewer lines and 70 pump stations throughout more than 50 square miles of unincorporated Clark County and the City of Ridgefield. Currently, the District serves more than 45,000 Equivalent Residential Units (ERUs), with an estimated population served in excess of 100,000.

The District currently employs more than ninety employees who operate the treatment plants, maintain the sewer lines, and perform finance, engineering, and administrative functions for the District at its office located at 8000 NE 52<sup>nd</sup> Court. The District moved to this location in March of 1997.

The District is located in Clark County, Washington. It is a stand-alone agency with a governing Board, Management Team, and rate-based funding arrangement. The District currently contracts with the Discovery Clean Water Alliance and the City of Vancouver for treatment services. These costs represent approximately 50% of its annual operating budget.

## Mission, Vision, Values

### Mission

"Providing customer-focused, professional wastewater services in an environmentally and financially responsible manner."

### Vision

"An active partner in Clark County, to support economic development and to manage and protect water resources."

### Values: SERVICE

**Safe** and healthy workplace for all employees

**Employees** who are talented and motivated professionals that work together in a spirit of cooperation and with respect for all individuals

**Responsibility**, integrity, and fairness in managing the environmental and financial resources entrusted to the District

**Valued** partner involved and active within our community

**Innovation** and learning, creating an environment of personal and professional growth

**Communication** that is active, open, honest, and timely

**Efficient** and effective solutions that meet the needs of our customers and our community

## **Principles & Ethical Standards**

### **Code of Ethics**

The District will hold itself to the highest standards of public accountability and ethics. All District Employees will abide by applicable provisions of Title 42 RCW Public Officers and Agencies, including Misconduct of Public Officers (RCW 42.20), Code of Ethics for Municipal Officers-Contract Interest (RCW 42.23), Appearance of Fairness (RCW 42.36), Whistleblower Protection (RCW 42.41), the ethical standards of their profession, as applicable, and any other federal or state laws or regulations governing the conduct of public officials or employees; which are to be adhered to explicitly and for all purposes are incorporated by reference herein. Employees are expected to conduct themselves, at all times, in an ethical manner, with the District's best interests in mind, and shall avoid and refrain from any illegal activity or the appearance of any impropriety involving the District, District Property and resources.

### **Influence and Resources**

1. Employees shall not use their offices or positions, or any information received thereby, to secure anything of value, personal benefit, or special privilege or exception for themselves, immediate family member, or any other person with whom the Employee has a relationship. This prohibition includes efforts to influence other employees to obtain such items.
2. Employees shall not use or permit the use of District Property, facilities, and resources for any private purpose, including the personal benefit or convenience of the Employee, commercial purposes, financial gain, or present or future employment, except in the conduct of official business.
3. Employees shall not use, request, or permit the use of the services of any District Employee during District time except in the conduct of official business. In addition, Employees shall not employ or solicit the use of any person under their direction or control for personal benefit, gain, or profit.
4. Employees shall not engage in or accept private employment or render services for any private interest when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair or unduly influence the judgment or actions of the employee or other employees, in the performance of said duties.

### **Gifts and Gratuities**

1. Employees shall not accept anything of value or honoraria, other than compensation provided by law or as authorized in this or other District policies, for actions connected with or related to the Employee's performance of their duties or functions.
2. Employees shall not, directly or indirectly, receive, accept, or solicit anything of value or honoraria for themselves, immediate family member, or any other person with whom the Employee has a relationship or business with which they are associated if it could reasonably be perceived that the thing of value could appear to influence the Employee's decision, vote, action, inaction, or judgement, or be considered as part of a reward for such decision, vote action, inaction, or judgement.

### Confidentiality

No Employee shall intentionally breach the confidentiality of District information or data in any manner that is exempt from public disclosure or discussion in accordance with state law.

### Political Activities

Employees shall not use or authorize the use of District facilities or resources, directly or indirectly, for the purpose of assisting or opposing a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition, including initiative, referendum, or any related activities, except to the extent otherwise authorized by law. Knowing acquiescence by a person with authority to direct, control, or influence the action of the Employee using public resources in violation of this section constitutes a violation of this policy. This provision is not intended to replace or supersede the requirements or prohibitions of Chapter 42.17A RCW et seq., which may otherwise apply to District Employees and/or officials.

### False Charge

It shall be a violation of this policy for any Employee to knowingly or recklessly file a false charge or report under these provisions.

### Private Activities

Employees have the right to engage in activities outside of District business, which are of a private nature, unrelated to District business and do not conflict with these ethical standards and obligations, create or give the appearance of District impropriety, or otherwise are not in the District's best interests.

### **Conflict of Interest**

All District Employees, officers, agents, and Commissioners shall remain free from any real or perceived individual or organizational conflict of interest. No Employee shall engage in any activity that conflicts with or appears to conflict with District business, including District contracts or the performance of any employee's duties. Employees must immediately report and or disclose such activity or conflict. Refer to the District's Conflict of Interest Policy (POL-062) for more information.

### **Customer Service Principles**

As a customer-focused utility, the District shall establish and strive to achieve the highest standards of customer service in every interaction with its customers and the public. The District's philosophy is to always provide service to others in the manner that they want to be treated and/or served. The core principles of customer service are as follows:

- Problem Solving – solve problems and remove barriers, whenever possible, through sound reasoning and logic.
- Active – engage with the customer, practice active listening, and follow through on all requests and commitments.
- Respectful – be kind and courteous, demonstrating respect for all individuals without judgment or criticism, and displaying patience and compassion.
- Timely – be responsive and value the customer's time; make decisions in a timely manner and keep the customer informed.

- Educational – be competent and share knowledge and information, providing explanations to build understanding.

All District Employees will receive training on the District philosophy and principles of customer service.

### **Communication Principles**

All District Employees will communicate in a fair and respectful manner in accordance with the following principles:

- Focus on the work and what is in the best interest of the District and its stakeholders. *(Good ideas don't have boundaries and don't create winners and losers. We are all working to achieve the best interests of the District.)*
- Communicate based upon mutual respect, believing the best in the intentions of others. *(Foster a supportive, professional environment and culture.)*
- Take personal responsibility for well understood two-way communication. *(Establish clarity and fully understood expectations in all communications seeking an outcome.)*
- Resolve issues and misunderstandings directly. *(Speak with the person who is able to resolve the issue or misunderstanding.)*
- Address rumors with the truth in an open, honest, and timely manner. *(Replace speculation with honest, consistent communication.)*

## **Employee Handbook Overview**

### **Employment Relationship**

Nothing in this Handbook shall constitute a contract of employment or a promise of employment for any specific duration. Your employment with the District is entered into voluntarily, and you are free to resign at any time and for any reason. Similarly, the District is free to separate the employment relationship at any time, for any reason. ***Your employment relationship with the District is strictly "at will" and may be separated by either party for any reason, with or without cause, at any time. This Handbook is not a contract.*** Only the Board of Commissioners has the authority to agree to employment for any specified period of time, and an employment agreement for a specific term must be in writing, signed by the employee and the President of the Board of Commissioners.

### **Employee Classifications**

The following terms are used to describe the classification of employees:

- **Exempt Employees.** Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and state law, and who are exempt from overtime pay requirements.
- **Non-Exempt Employees.** Employees whose positions do not meet FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for

hours worked in excess of 40 hours per week. Time is managed and recorded in 15-minute increments.

- **Full-time Employees.** Employees whose position is scheduled to work 40 hours per week on an ongoing, indefinite basis.
- **Part-time Employees.** Employees whose position is scheduled to work at least 20 hours per week but less than 40 hours per week on an ongoing, indefinite basis.
- **Limited Term Employees.** Employees who are hired for a temporary, pre-established period (which may be defined by time and/or project). They may work a full-time or part-time schedule.
- **Interns.** Students who are currently enrolled in an accredited school and are hired for a limited period of time. Interns may work a full-time or part-time schedule.

### **Handbook Definitions and Special Conditions**

- **Regular Employees.** All full-time and part-time employees, excluding interns.
- **Employment of Minors.** Generally, District employees must be at least 18 years of age. The General Manager must approve the hire of any individual under the age of 18, generally students 16 or 17 years old. State law defines work hours and conditions.
- **Essential Personnel.** Employees who are required to report to work in emergency conditions, even if the District Office is closed due to inclement weather conditions.
- **Required Residency.** The District maintains critical wastewater conveyance infrastructure requiring designated field staff to be able to respond to an emergency condition after normal business hours in a timely manner. The District has determined that with the current technology and equipment and with the current geographical size of the District service area, the maximum standard commute time from home of residence to the District campus or assigned facility will be fifty (50) minutes for the designated positions (as defined in the minimum qualifications within their position description). Time will be determined from home to the District office/facility by an appropriate internet mapping tool such as Google Maps or MapQuest.
- **Longevity.** The employee's continuous time worked at the District or, for Essential Personnel, the greater of their continuous time worked at the District or continuous time worked at a District operated facility (e.g., treatment plant, collection system), in a similar capacity, for the District or other employer.
- **Employee in Good Standing.** An active employee who is not on a performance improvement plan and/or who has not been issued any form of written notice of corrective action (e.g. written warning, suspension) within the prior six (6) months.
- **Safety Sensitive.** An employee in a position or function whose regular duties and/or work represent a substantial risk of injury or death if the individual is impaired or otherwise does not perform the work or duties in a safe and proper manner.

- **District Property.** All personal, intellectual, and physical property, facilities, equipment and materials owned by the District, including all records, files, systems, data, and work products used or created by employees in the fulfillment of their duties and in conduct of District business.

## **Changes in Policy**

This Handbook functions as an introduction to the District and as a guide to its expectations and policies. The policies expressed in this Handbook are effective on the date of the adopted resolution and, as further amended by the General Manager, unless Board approval is required by law and supersede all other pre-existing policies and practices, expressed or implied, written, or oral, which may have been issued on subjects covered herein.

To meet the needs of its employees and customers, the District needs to be flexible. Therefore, it reserves the right to make additions, deletions or other changes to the provisions and policies of this Handbook as appropriate, and any changes shall become effective upon adoption. The District will try to give employees as much advance notice of any changes as is practicable under the circumstances, but lack of notice will not make any change in policy of no effect. In all matters covered by this Handbook, including, without limitation, working conditions, disciplinary matters, policy formations and compensation, the District intends to reserve complete discretion except where limited by law. In all disputes, investigations or matters of controversy, District determination of the facts, made in good faith, will be conclusive. The District reserves the right to interpret these policies as situations arise, and its interpretation, made in good faith, shall be conclusive.

If you are uncertain about any policy or procedure, please check with your supervisor and/or the General Manager.

The information contained in this Handbook applies to all employees of the District. ***It is presented as a matter of information only, and its contents should not be interpreted as a contract between the District and any of its employees.***

## **SECTION 2**

### **DISTRICT PERSONNEL POLICIES**

## **Equal Employment and Diversity Opportunity**

The District is an Equal Opportunity Employer. We believe that every employee has the right to work in an environment free from all forms of unlawful discrimination. It is the policy of the District that employment decisions for all applications and employees will be made without regard to race (including traits historically associated or perceived to be associated with race, including, but not limited to, hair texture and “protective hairstyles” such as afros, braids, locks and twists), color, religion, gender, gender identity or expression, sexual orientation, age, national origin, creed, marital status, veteran status, citizenship status, disability, or other characteristics protected under federal, state, or local law.

This policy applies to all areas of employment, including recruitment, hiring, training and development, career advancement, position change, termination, layoff, compensation and benefits, social and recreational programs and all other conditions and privileges of employment. Employment and promotional decisions are based upon the ability to meet and exceed essential job duties and not on personal characteristics that are not related to their ability to do their job.

The District will apply sound recruitment practices that provide all qualified job applicants the opportunity to apply for and be considered for all positions that open within the District. However, applicants and or employees may not be hired, placed, or promoted into a position where there is a direct supervisory reporting relationship with a spouse, domestic partner, family member or relative. Furthermore, employees shall not participate in the recruitment process for any spouse, domestic partner, family member or relative.

The District expects that all employees will maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees and is free from all forms of discrimination, harassment, and violence. Non-compliance of our standards and policies may result in corrective action up to and including separation of employment.

No employee will be retaliated against for raising good-faith concerns under this policy. We seek employee cooperation and assistance in helping to maintain equal employment opportunity.

Any employee involved in discriminatory practices will be subject to corrective action up to and including separation of employment.

The District fully complies with all state and federal policies and requirements providing for full accessibility to all District buildings for individuals with disabilities.

## **Non-Discrimination and Non-Harassment**

### **Discrimination and Harassment will not be Tolerated**

The District is committed to providing a workplace where customers, coworkers, supervisors, and managers treat each other in a courteous, professional, respectful, fair, and equitable manner. It is the policy of the District to not discriminate in the conduct of its business, to deliver equitable and accessible services, and to ensure full compliance with federal and state nondiscrimination and non-harassment laws in its programs, services, and activities. Any form of unlawful discrimination or harassment is prohibited.



The District will not discriminate on the basis of race (including traits historically associated with or perceived to be associated with race), color, religion, age, national origin, ancestry, ethnic group identification, creed, gender, gender identity or expression, sexual orientation, marital status, disability, medical condition, political beliefs, genetic information, or veteran's status. The District does not intimidate or retaliate against any individual or group because they have exercised their protected rights or for the purpose of interfering with such rights protected under 40 CFR Parts 5 and 7, including Title VI and VII of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; Section 13 of the Federal Water Pollution Control Act Amendments of 1972 and Chapter 49.60 RCW, Washington's Law Against Discrimination, and 42 U.S.C. 12101 et seq., the Americans with Disabilities Act (ADA).

This policy applies to all employees, at all times, when acting within the scope of their employment, whether at the office, at an official company function outside the office, at a District-sponsored social event or working outside of the District's office location.

Employees who violate this policy are subject to corrective action up to and including separation of employment.

### **What is Harassment**

"Harassment" is any conduct, gestures or words that are intended or reasonably likely to offend, upset, denigrate, or humiliate another. "Sexual harassment" can be defined as any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature or with sexual overtones where:

- Submission to the advance is either an explicit or implicit term or condition of employment;
- Submission to or rejection of the advance affects the basis of employment decision for the employee or
- Such conduct or statements have the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile or offensive work environment.

Examples of harassment, which may violate District policy, also include:

- Verbal harassment, such as epithets, derogatory comments, or slurs, demeaning, or sexually explicit jokes;
- Physical harassment such as assault, impeding or blocking movement, unwelcome touching or any physical interference with normal work or movement when directed at any individual;
- Visual forms of harassment, such as derogatory, offensive, or sexually suggestive posters, cartoons, pictures, or drawings displayed in the workplace or
- Behavioral forms of harassment include suggestive facial expressions or noises, leering or obscene gestures.

## **Reporting Discrimination/Harassment**

If you believe you have been the victim of harassment or discrimination or know of someone who has, report it immediately to your supervisor, department manager, Human Resources, or the General Manager. No employee who observes or is subjected to an act of sexual or other harassment or discrimination shall overlook the act. All employees have a duty to report acts of harassment immediately.

If you do make a complaint, the District will promptly conduct an impartial investigation. Complaints, discrimination, or harassment will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law; however, absolute confidentiality cannot be guaranteed. If the District concludes that unlawful harassment or discrimination has occurred, appropriate corrective actions will be taken upon completion of the investigation. The District's goal is to have every employee treated with dignity and respect.

## **Retaliation is Prohibited**

No action will be taken against any employee who, in good faith, files a complaint of discrimination or harassment or who assists in the investigation of such complaint by providing information. Employees who believe they have been retaliated against for having reported harassment or participated in an investigation are urged to promptly notify Human Resources, the General Manager, or the Board of Commissioners if the General Manager is the subject of the retaliation concerns so their concerns may be investigated. Appropriate corrective action will be taken if allegations of retaliation are sustained.

## **Disability Accommodation**

The District is committed to complying with the disability discrimination laws, including the Americans with Disabilities Act (ADA) and Washington Laws Against Discrimination (WLAD), and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis. This includes providing reasonable accommodation to qualified individuals who have a disability that impacts their ability to perform the essential functions of their job.

Any employee who believes that he or she has a disability that requires accommodation should notify Human Resources as soon as possible after the disability becomes known to the employee and before the impacts of the disability give rise to performance issues. Upon such notification, the District will engage in what is commonly referred to as an "interactive process" with the employee. As part of the interactive process, the District may request additional information from the employee, such as a completed medical certification and medical accommodation form from the employee's treating healthcare provider, so that the District may verify the existence of a disability and determine what, if any, reasonable accommodation may be offered to the employee to enable the employee to perform the essential functions of his or her job. A "reasonable accommodation" is one that does not create an undue hardship for the District. The District can make no guarantee or assurances as to specific accommodations, and all requests for accommodation must be addressed on a case-by-case basis, based on the particular circumstances.

## **Pregnancy and Breastfeeding Accommodations**

The District will provide pregnant and nursing mothers reasonable accommodations for pregnancy and pregnancy-related health conditions, which include health conditions during pregnancy and after the birth of the baby, such as the need to express milk.

For pregnant employees, such accommodations may include the following:

- Providing frequent, longer, or flexible restroom breaks;
- Modifying any no food or drink policy;
- Providing seating or allowing the employee to sit more frequently; and
- Restrictions on lifting more than 17 pounds.

A pregnant employee, upon a medical certification from the employee's health care provider confirming the need for the same, may also be eligible for the following additional accommodation, provided that it does not represent a significant difficulty or expense to the District, which shall be determined by the District on a case-by-case basis, based upon the particular operational circumstances and position involved:

- Job restructuring, including modifying a work schedule, job reassignment, changing a workstation or providing equipment;
- Providing a temporary transfer to a less strenuous or hazardous position;
- Scheduling flexibility for prenatal visits and
- Providing any further accommodations the employee may need.

The District will, for a period of two (2) years following the birth of their child, provide nursing mothers with reasonable break time to express milk. These break times should, when possible, be taken concurrently with any other break time already provided. Employees should discuss the length and frequency of these breaks with their direct supervisor. The employee will also be provided a space to express breast milk, other than a restroom, which is shielded from view and free from intrusion from co-workers and the public, provided such a location exists at the place of business or worksite. If the District does not have such a location, the District will work with the employee to identify a convenient location.

## **Religious Accommodation**

The District recognizes the diversity of religious beliefs and will reasonably accommodate the same. An employee may request an accommodation when their bona fide religious belief requires a deviation from the District's dress code or the individual's work schedule, basic job duties or other aspects of employment. The District will consider the request but reserves the right to offer an alternative accommodation or to deny accommodation when such accommodation would create an undue hardship for the District. Some, but not all, factors to be considered in determining whether a religious accommodation may be reasonably extended to an employee include cost, the effect that an accommodation will have on current-established policies and the burden on District operations.

## Workplace Violence

The District is committed to providing a safe and productive work environment for all employees. Any form of workplace violence committed by or against employees will not be tolerated. Employees are prohibited from making threats or engaging in violent activities.

### Prohibited Conduct

The following list of behaviors, while not all-inclusive, provides examples of prohibited conduct under this policy:

- Intentionally causing physical injury to another person.
- Making threatening remarks.
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging property belonging to the District or another employee.
- Possession of a weapon while on District property or while otherwise conducting District business. *Items required to perform essential duties, such as utility knives, may be carried for that purpose. Personal "pocketknives" are permissible if the blade is 3" or less in length. No firearms, knives, or other items that could reasonably be considered a weapon, concealable or carried openly, will be permitted on District property.*
- Threats to display or use a weapon.

### Reporting

Employees who are aware of potentially dangerous situations or who witness or are privy to violent threats or conduct are required to report them immediately to a supervisor or manager. All reports will be investigated, and confidentiality will be maintained whenever possible. All parties involved in a dangerous situation will be counseled as appropriate, and the results of the investigation will be discussed with them.

### External Sources of Violence

Incidents involving non-employees, vendors, clients, or others who engage in threats, threatening conduct, or violent acts should be immediately reported to a supervisor or manager. The District will, as appropriate, report the incident to the proper authorities.

### Safety Measures

Employees are expected to exercise good judgment and to inform a supervisor or manager if any employee or non-employee exhibits behavior that might lead to a potential danger. Such potentially dangerous behavior may include, but is not limited to:

- Carrying weapons in the workplace or while on District business
- Displaying overt signs of extreme stress, resentment, hostility, or anger
- Threatening remarks
- Sudden deterioration of performance

- Irrational or inappropriate behavior

Employees who are subject to harassment, violence, or threats from a non-employee, including domestic violence, should notify their supervisor or manager. District management will assess the situation and, if appropriate, design a plan or otherwise assist at-risk employees and District staff to prepare for possible emergency situations.

### **Enforcement**

Any employee determined to have engaged in threats, threatening conduct, or any inappropriate acts of aggression or violence in the workplace or while conducting District business will be subject to corrective action up to and including separation of employment.

Non-employees engaged in violent acts on the District's premises or directed at employees during the course of conducting District business shall be reported to the proper authorities.

## **Communications**

### **District Communications**

In order to do our best work, each of us expects and is entitled to be treated with professional respect by our coworkers. Communications between employees at all levels are required to be courteous, respectful, and professional. When we are talking to or about each other, what we say and how we say it are important. Gossip about individuals and hateful language of any kind are contrary to our standards for communication and conduct.

### **Bulletin Boards**

The District has bulletin boards located in the upper-level employee lunchroom and in the maintenance shop, which are used to help communicate important District information related to employment law notices only. District bulletin boards are for District business only and may not be used by employees to post personal or non-District related materials. Employees are responsible for regularly reading the information posted on the bulletin board.

### **Whistle Blower Protection**

The District's Whistle Blower policy implements state law RCW Chapter 42.41. Every District employee has the right and obligation to report to the appropriate person information concerning alleged improper governmental actions and the right to do so free from retaliatory action. District officials and employees are prohibited from taking retaliatory action against any District employee because he or she reported in good faith an improper governmental action in accordance with state law. It is the District policy to:

- Encourage District employees to report improper governmental actions taken by District officers or employees, and
- Protect District employees who have reported improper governmental actions in accordance with the District policies and procedures.

"Improper governmental action" means any action by a local governmental officer or employee undertaken in the performance of the officer's or employee's official duties,

whether or not within the scope of the employee's employment, which is not compliant with any law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety or is a gross waste of public funds. "Improper governmental action" DOES NOT include personnel actions.

"Retaliatory action" means (1) any adverse change in an employee's employment status, or the terms and conditions of employment, including denial of adequate staff to perform duties, frequent staff changes, frequent and undesirable office changes, refusal to assign meaningful work, unwarranted and unsubstantiated letters of reprimand or unsatisfactory performance evaluations, demotion, transfer, reassignment, reduction in pay, denial of promotion, suspension, dismissal or any other corrective action; or (2) hostile actions by another employee to the employee that were encouraged by a supervisor, manager or official.

"Emergency" means a circumstance that, if not immediately changed, may cause damage to persons or property.

District employees who become aware of improper governmental action shall submit a written report of such to the General Manager. If the General Manager is the subject of the report, then the report should be made to the President of the Board of Commissioners or, in the President's absence, to any Board member. In addition, an employee may report improper governmental action to the Clark County Prosecuting Attorney (1013 Franklin Street, Vancouver, WA, 98666-5000) or any member of the Board of County Councilors (1300 Franklin Street, Vancouver, WA, 98666-5000). The County Prosecuting Attorney's address, as well as the names and addresses of other federal, state, and local agencies that may investigate improper governmental actions, are on record in the office of the General Manager. Except in the case of an emergency, before an employee provides information of an improper governmental action to a person who is not a public official or a person listed in the District's policy, the employee shall submit a written report to the General Manager. An employee who fails to make a good-faith attempt to follow this policy shall not receive the protection of the state whistleblower law.

The General Manager, the President of the Board of Commissioners, or a Board member, as applicable, shall promptly investigate the report of improper governmental action. District officers and employees involved in the investigation of such action shall keep the identity of reporting employees confidential to the extent possible under law unless the employee authorizes the disclosure of identity in writing.

Following the completion of an investigation, the employee reporting the alleged improper governmental action shall be advised of the results of the investigation and any actions taken by the General Manager or Board of Commissioners with respect to such report. However, any personnel actions taken as a result of the investigation may be kept confidential.

An employee who believes they have been the subject of retaliatory action for reporting improper governmental action shall obtain relief as follows:

- Provide the Board with written notice of the charge of retaliatory action specifying (a) the alleged retaliatory action and (b) the relief requested no later than thirty (30) days after the occurrence of the alleged retaliatory action. The Board shall respond to the charge and request for relief within thirty (30) days.

- Within fifteen (15) days of the delivery of the response or within fifteen days of the last day on which the Board could respond, the employee may request a hearing to establish that a retaliatory action occurred and to obtain relief.
- Within five working days of receipt of the request for a hearing, the Board shall apply to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

The employee must prove their claim by a preponderance of the evidence. The administrative law judge shall issue a final decision no later than forty-five (45) days after the date the request for hearing was delivered to the local government. The final decision of the administrative law judge is subject to judicial review under the arbitrary and capricious standard. Relief ordered by the administrative law judge may be enforced by petition to the Superior Court.

The administrative judge may grant the following relief:

- Reinstatement with or without back pay;
- Injunctive relief to return the employee to the position he or she held before the retaliatory action and to prevent any recurrence of retaliatory action;
- Costs and reasonable attorney's fees to the prevailing party; and
- The imposition of a civil penalty personally upon the retaliator of up to three thousand dollars (\$3,000) payable by each person found to have retaliated against the employee, and a recommendation to the Board that any person found to have retaliated against the employee be suspended with or without pay or dismissed.

### **Open Door Policy**

Our policies and practices emphasize open-door practices in which employees are encouraged to deal directly with their supervisor and other members of management regarding any complaints they might have. The needs of the employee and District are best met with open and professional communication in a safe environment.

### **Complaint Handling**

Under normal conditions, if you have a job-related problem, question or complaint and you are unable to resolve it on a one-to-one personal level, you should discuss the problem, question, or complaint with your supervisor. The simplest, quickest, and most satisfactory solution will often be reached at this level with open, honest, and respectful communication. At any time, you may seek advice and guidance from Human Resources.

If the discussion with your supervisor does not address your problem, question or complaint or resolve the matter to your satisfaction, then the following process can be used:

- Within 15 calendar days following your discussion with your supervisor, you may present your written or oral complaint to the next level of management. If the matter is still not resolved satisfactorily, then:
- Within 15 calendar days following your discussion with higher management, you may present your written or oral complaint to the General Manager. The General Manager shall investigate the problem, question, or complaint by undertaking

whatever means the General Manager deems appropriate and will render a decision on the matter. If the matter is still not resolved to your satisfaction, then:

- Within 15 calendar days following your receipt of the General Manager's decision, you may appeal the General Manager's decision in writing to the Board of Commissioners.
- Within 15 calendar days, the Board of Commissioners shall make a determination as to whether they will hear your appeal and advise you of their decision. If the Board of Commissioners decides to review your appeal, your appeal will be heard at the next regularly scheduled Board meeting unless otherwise provided by the Board. Contact your immediate supervisor with any questions you have relating to the proper appeal procedure.

When the issue involves the supervisor or manager with whom you would ordinarily discuss a complaint hereunder, you may bypass that individual and proceed to the next person in authority without compromising your appeal rights or fear of retaliatory action. At any time, you may seek the advice and guidance of Human Resources.

Difficulties in using this complaint procedure should be brought to the attention of Human Resources.

This complaint handling procedure does not apply to any disciplinary action or non-action taken by the District, which action or non-action is within the District's sole discretion. The above procedure is a non-binding guideline that the District tries to follow. It does not confer or guarantee you any rights.

This complaint-handling procedure is made available to employees for the purpose of amicably and effectively resolving job-related complaints unrelated to the disciplinary decisions or acts of the District. The District shall not retaliate against an employee making a good faith report of a complaint under the procedure set forth herein, nor subject any employee to an adverse employment decision based on that employee's good faith report. However, if the District determines that a frivolous complaint is made under this procedure for the sole purpose of harassing, disparaging, or intimidating another employee, the reporting employee may be subject to corrective action up to and including separation of employment.

The District takes all complaints seriously and will address such complaints in a manner that it deems appropriate. If an investigation of a complaint is deemed necessary, the District shall conduct such investigation as discreetly as possible and practical. The District shall disseminate information relating to the complaint on a "need to know" basis only; however, the District cannot guarantee the confidentiality of any complaint.

## **Suggestions**

We encourage you to suggest methods to improve quality and efficiency in the District. Submit your suggestions in writing to your supervisor or the General Manager. Your suggestions should be detailed so that the system or procedure can be adequately evaluated.

## **Confidentiality**

During the course of your employment here, you will be working with our customer lists, business systems, future development plans and other information that we consider



confidential. As a public agency, most of our records are public information; HOWEVER, you may become aware of information that is sensitive and could be misinterpreted or used inappropriately if taken out of context. Protect this information by safeguarding it when in use, filing it properly when not in use, and discussing it only with those who have a legitimate “need to know” basis. If you feel uncertain about the information you work with, discuss it with your supervisor immediately.

Additionally, all employees of the District are to respect the confidential nature of information that may be shared with them by subordinates, peers, and supervisors. The District cannot guarantee employees that information that they may share will be held in confidence.

### **Subpoena and Deposition Response Procedure**

Due to the nature of the District’s very focused business, litigation involving the District or requiring District staff to be a witness is rare. In most situations, the involvement of District personnel is limited to providing and identifying District records in a lawsuit not involving the District. The following describes the procedure to be taken by District personnel when they receive a subpoena to respond to a deposition:

- District personnel who receive a subpoena for a deposition or court appearance will notify their department manager, General Manager and Risk Management Director of the subpoena.
- The employee will provide a copy of the subpoena to the General Manager.
- The General Manager will contact District legal counsel for consultation and direction based upon initial investigation and fact finding.
- District legal counsel will then advise the District on the appropriate course of action to be followed.

If appropriate, District legal counsel will advise the individual subpoenaed on the nature of the proceedings, the requirements of the subpoena, the proper methods for verifying the need for the District’s personnel testimony and the proper methods for testifying and providing documents. If requested, in some unique cases, District legal counsel may accompany the District personnel to the deposition or trial.

## **Personnel Documents**

### **Personnel Records**

Important events in each employee’s employment history with the District will be recorded and kept in the employee’s personnel file. Job application records, regular performance reviews, change of status records, commendations, corrective action warnings, educational attainment records, accommodation records, and separation documents are examples of records maintained. Payroll records are also considered to be part of an employee’s personnel file, although these are generally maintained separately from the file itself.

While the District generally treats each employee personnel file as confidential, some information contained in personnel files may constitute discoverable information under the Public Records Act (Chapter 42.17 RCW) and the District therefore cannot guarantee

absolute confidentiality of those records (however, as a general practice the District will provide notice to an affected employee of its intent to disclose a personnel record(s) in connection with a PRA request and will afford the employee an opportunity to seek court intervention, if the employee believes the record should be protected from disclosure).

You are responsible for notifying Human Resources as soon as possible and no later than thirty (30) days of changes in address, telephone number, and/or family status (births, marriage, death, divorce, legal separation, etc.), as income tax status and group insurance may be affected by these changes. Human Resources will provide the change notification to payroll, WA State Public Employees Benefits Board (PEBB) and Department of Retirement Services (DRS). This responsibility includes employees on lay-off status and leaves of absence.

Your personnel file is available for your inspection in the Human Resources office. Contact Human Resources to make an appointment. Additionally, the District will provide an employee with a copy of their personnel file within 21 days of a written request therefor.

Although you may not remove, alter or destroy any record included in your personnel file, you may, on an annual basis, request that the District remove information from your personnel file that you believe is irrelevant, erroneous or stale. If the District declines to remove such information, you may submit a written rebuttal or correction, which the District will include in your personnel file.

Separate from an employee's general personnel file, the District also maintains a separate, confidential medical file for each employee, which is strictly limited to only those members of management with a need to know. Confidential medical information will be stored in a secure location and shall not be released to any unauthorized individual without the written consent of the employee or in response to a valid court order or as otherwise required by law.

### **Position Descriptions**

At the District, Position Descriptions are used to aid in staffing, wage and salary administration and training. They are also used to classify/designate positions as Safety Sensitive and/or individuals as Essential Personnel, where applicable. Position Descriptions help employees and supervisors communicate about job responsibilities. However, Position Descriptions are not fixed District policy; they are only guidelines and can normally be expected to change over time. Each employee is expected to review their Position Description with their supervisor at their annual performance appraisal to ensure the Position Description matches the current essential job duties of the position.

From time to time, employees are expected to perform duties and handle responsibilities that are not part of their normal job. If, over the months, these new duties and responsibilities remain a significant part of the assignment, the Position Description may be changed, and the position may be reclassified at the District's discretion.

Consistent with the Washington Equal Pay and Opportunities Act, a position description shall generally include the wage scale/salary range for such position.

## **Performance Management**

### **New Employee Orientation and Onboarding**

All employees starting at the District will serve a six-month (6 months/180 days) Orientation Period. The Orientation Period is used to ensure the applicant/employee selected for the position is qualified to perform the essential functions of the job and is meeting District performance expectations. During the Orientation Period, the employee's performance will be reviewed regularly. At the end of the Orientation Period, a stay interview and initial performance review will be conducted by the employee's supervisor, which shall include a recommendation regarding the employee's continued employment. The department manager is authorized to approve the employee's continued employment/performance in the position based on documented performance. The General Manager is authorized to separate employment with the new employee at any time during the Orientation Period based on documented performance or corrective action.

### **Employee Performance Review**

The District understands and values the contribution of all its employees. The performance appraisal process seeks to ensure that each employee has the support necessary to maximize their potential and contribution to the effectiveness of the District.

Key components of the performance appraisal process include the annual performance review, annual goals, and regular check-in (one-on-one) meetings (weekly, bi-weekly, monthly, as appropriate). Ongoing communication, coaching, tracking and documenting goals, performance, and achievements occur throughout the year as part of one-on-one meetings between supervisors and employees. Specific performance issues or concerns will be addressed with the employee as they occur, and the supervisor will endeavor to provide additional support and/or resources to assist the employee in correcting the issue(s)/concern(s) to the extent feasible and available. Information from coaching sessions and one-on-one meetings is reflected in the employee's annual performance review. As part of the annual performance appraisal process, the employee's manager will solicit and receive performance feedback from the employee's peers and direct reports, as applicable, to provide a more holistic assessment.

The goals form, performance review form, and the employee's comments and response materials will be included in each employee's respective personnel file. The District shall maintain the confidentiality of the employee's performance appraisal and any peer feedback or comments received to the extent permitted by law.

Professional development goals will be established for each employee annually and discussed with you by your supervisor and manager. Your supervisor will submit a completed draft performance review to Human Resources prior to the annual review. Human Resources will review for completeness and for any area of concern. The supervisor will complete the final copy that will be presented at your annual evaluation meeting. Human Resources may be requested to sit in on the evaluation by either you or your supervisor. The annual performance appraisal provides an annual summary of your regular check-in discussions on professional development, goal attainment and overall performance for the year.

At the end of the evaluation, there should be:

- A solid understanding of the past year's performance, including any differences in performance factor rating and overall rating.
- Direction for the upcoming period.
- Understanding of the new compensation level.
- Beginning of the development of next year's goals.
- Signed annual performance review by the employee and supervisor.

## **Career Development**

The District aims to foster an environment that promotes personal and professional growth. If you would like to discuss your career or better understand the requirements of a position at the District, please contact Human Resources to arrange a confidential discussion. Such a discussion will not jeopardize your present position or future with the District and will be intended to assist you in understanding the differences between your current position and the position of interest. Education and Training Assistance Programs are also available and defined under the "Other Services" section of the Employee handbook for those wishing to increase their skills and knowledge.

## **Job Shadowing**

The District seeks to create an environment of innovation and learning. Job Shadowing, the ability to observe other District functions and tasks in the work environment, provides an enhanced general awareness of other functions and tasks. This better understanding increases our ability to communicate and work together in a spirit of cooperation, leading to increased overall effectiveness and customer service. If you are interested in Job Shadowing, please review the Job Shadowing procedure, complete the Job Shadowing request form, and submit it to your supervisor.

## **Job Posting**

The District seeks talented and motivated professionals to fill all positions at the District. Whenever a position becomes available and posted at the District, the hiring manager and HR will ensure that only applicants, both internal and external, who meet the qualifications of the position as defined in the Position Description are evaluated for the position. Applicants who currently meet the qualifications, have a history of strong performance and could be expected to perform at a high level in the position will be further considered for the position. Applicants who are currently employed with a staffing agency and placed at the District in a temporary employment capacity for a continuous period of 12 months or more are eligible to be considered for internal recruitment. Current job openings are typically posted on the District's website, local newspapers, and niche websites.

## **Leaving the District**

If you decide to leave the District, please advise your supervisor or the General Manager in writing at least two weeks prior to your date of departure so that an orderly transition can be made. All employees who leave, retire, or whose employment is otherwise separated from the District shall turn in all District Property, including District Communication Devices, equipment, and any District-issued logo clothing, provide all passwords to the District, and complete all required Human Resources and Payroll forms.

An exit interview should be conducted with the General Manager or Human Resources to document the reasons for your departure and solicit constructive feedback to help improve the District. If you fail to provide the written two-week notice defined in this section, you shall automatically forfeit your right to payment for any accrued sick leave or vacation leave, as provided in the District Benefit Section of this handbook (Section 4).

## **SECTION 3**

### **DISTRICT COMPENSATION**

## **Compensation Logistics**

### **Compensation Plan**

Established wage or salary ranges are reviewed periodically and may be adjusted as the District deems appropriate. Details of the Compensation Plan and its administration are contained in a separate document entitled “Clark Regional Wastewater District Compensation Plan” (see District Compensation Plan). If you have specific questions, please contact Human Resources or the General Manager.

### **Workweek, Workday and Hours of Work**

The standard, regularly scheduled workweek consists of seven consecutive days starting at 12:00 am Sunday and ending at 11:59 pm on Saturday. Standard workdays are 8 or 10 hours in length and begin between 6:00 am and 8:00 am. Managers are responsible for determining schedules for their department, which are to be distributed in advance.

#### Non-Exempt Employees

Each non-exempt employee is assigned a schedule depending on the assigned area of work and the needs of the District, which may vary from the District's standard workweek schedule. Employees will receive notice of their assigned schedule and any subsequent schedule changes as far in advance as possible. A supervisor may need to change the employee's schedule, permanently or temporarily, to meet scheduling or other operational needs of the District. Please see the department supervisor with any questions about the assigned schedule.

#### Exempt Employees

Exempt employees work a professional schedule. In general, exempt employees are expected to maintain a regular work schedule that coincides with the District's normal hours of operation; however, they are not bound by a set workday schedule (e.g., 8 a.m. – 5 p.m.). Often, the needs of the position may require that they arrive early, stay late, or attend “after-hours” meetings; exempt employees are not compensated for these additional work hours with overtime pay.

### **Lunch Periods**

All non-exempt employees are entitled to an unpaid lunch period approximately midway through their normal workday schedule. Depending on the assigned work schedule, the duration of the lunch period may be either half an hour or an hour. The unpaid lunch period includes any voluntary travel time by the employee to and from the location of their work and the location where they take the lunch period, including voluntarily returning to the office from the field. Please see your supervisor for information on your assigned time and length of the lunch period. On an exception and occasional basis only and by agreement of the supervisor and employee, employees may elect to omit their lunch period.

### **Rest Periods**

All non-exempt employees working four (4) or more hours daily earn a 15-minute paid work break for each four (4) hours worked, up to a total of 30 minutes. Depending upon your particular position, these breaks may be scheduled, in which case they will be scheduled approximately mid-morning and mid-afternoon. In other cases, rest breaks

may be taken intermittently throughout the workday, totaling 30 minutes, with supervisors' approval. Employees are expected to take their rest breaks as designated.

### **Overtime Pay**

Overtime includes any hours worked in a workday, scheduled or unscheduled, that are in excess of the hours in the employee's assigned daily shift (e.g., in excess of 8 or 10 hours) or in excess of 40 hours total in the workweek (provided an employee is not paid overtime twice on the same hours). The District includes holidays, floating holidays, vacation, sick leave, and compensatory time used as "time worked" for purposes of computing overtime.

Overtime shall be compensated at a rate of one-and-one-half times (1-1/2) the employee's regular rate of pay (standard overtime rate). Overtime will be earned to the nearest quarter hour (rounded up or down, as appropriate) of worked time.

All overtime work by non-exempt employees must be authorized in advance by the employee's supervisor. Over time, when available, it will be offered to qualified personnel. If multiple employees are interested in planned and scheduled overtime, it shall be assigned based first on the employee's Longevity and second, the classification level of the employee's position (e.g., 1, 2, 3). The employee with the greatest Longevity and the most advanced level position (e.g., 3, 2, 1) will be assigned the planned overtime. In the event of urgent or emergency situations, preference shall be given first to employees who are on duty. Working overtime without authorization may result in corrective action, up to and including separation of employment.

### **Compensatory Time - Non-Exempt Employees**

Overtime is typically paid in the pay period in which it is earned. On an exception basis and by agreement of the supervisor and the employee, an employee may elect to be compensated for overtime in the form of compensatory time off (comp time) rather than overtime pay. Such an election must be made in advance, either on a standing or ad hoc basis and must be agreed to by both the employee and the District. When approved, comp time is earned at the employee's standard overtime rate, i.e., for each overtime hour worked, an employee earns 1-1/2 hours of comp time.

Comp time will accrue and be managed on a calendar year basis (January to December). Comp time can be accrued and utilized throughout the year as agreed to by the employee and supervisor, and in consideration of the business needs of the District. However, during the final pay period in December, comp time will not be approved, and overtime must be paid in that pay period. Comp time balances at the end of the year will be paid out with the final pay date of that year. Comp time hours may not be cashed out voluntarily at any other time during the year. Accrued comp time will not roll over into the next year. Upon separation of employment, an employee shall be paid for any accrued but unused compensatory time at the employee's regular hourly pay rate.

## **Additional Compensation**

### **On-Call Compensation**

Non-exempt employees assigned to on-call duty, both primary and backup, shall be compensated, on an occurrence basis, for each day on call.



An employee assigned to on-call duties (e.g. checking SCADA alarms, answering on-call phone), primary or backup, shall be compensated an amount equal to two (2) hours at the employee's regular rate of pay for each day on call. An employee may not take compensatory time off in lieu of on-call compensation. If an employee responds remotely while on-call, or performs assigned weekend/holiday rounds (remote and/or in-person), the employee will be paid for their actual time worked. This time is in addition to the daily on-call compensation (2 hours) defined herein.

### **Call-out Protocol**

Any non-exempt employee who is called out from home, or after the employee has otherwise left the District premises for the day, to perform on-call or emergency response duties shall be compensated at the employee's overtime rate of pay for a minimum of two (2) hours or the actual hours worked, whichever is greater. This call-out premium pay is credited against any statutory overtime earned by the employee (*i.e.*, the premium pay is not stacked upon the statutory overtime rate). For purposes of this policy, hours are calculated from the time the employee leaves home (or other location upon receiving the call) to report to the District office (or other assigned facility) and returns home (or to another personal destination that is not a further distance than the employee's residence). An employee's time responding remotely to an on-call or emergency event is not considered a call-out and shall not count towards the hours worked for a call-out, as defined herein, unless the employee leaves their home and reports to the office (or other assigned facility) for the same call or event. Employees shall use a District vehicle when available. When called out, any employee required to use a personal vehicle shall be reimbursed for mileage to/from their home and the work site at the IRS-adopted rate in effect at the time of travel.

### **Shift Differential**

Non-exempt employees may be assigned, on a short-term and temporary basis, to work an alternative shift, generally referred to as a night or graveyard shift. When an employee works a complete alternative shift, they shall be paid a shift differential of \$3.00 per hour, in addition to the employee's regular rate of pay. A complete alternative shift is defined as working four (4) or more consecutive work hours between the hours of 6:00 PM and 6:00 AM but excludes call-outs while on standby, which are governed by the Call-out Protocol above.

To the extent possible, employees will be notified of the change in shift at least twenty-four (24) hours in advance, and in any event, the District shall give the employee a minimum of four (4) hours notice prior to the start of the new shift. If such notice is less than four (4) hours, the employer shall pay the employee according to the Call-out Protocol above.

An employee may not take compensatory time off in lieu of shift-differential compensation. Shift differential pay shall not under any circumstances apply to flexible work hours agreed to between employee and supervisor as part of a flexible schedule, shifts, or any overtime hours, including on-call and call-out. Shift differential compensation shall not apply when on vacation, sick leave, or any other paid leave of absence. The shift differential shall be used in computing the overtime rate, as required by law.

## **Fatigue Time**

Except in the case of an Emergency, employees will not be permitted to work in excess of eighteen (18) consecutive hours within a 24-hour period, which starts at the beginning of an employee's regular work shift. If an employee works in excess of eighteen (18) consecutive hours, they shall have not less than six (6) continuous hours of off-duty time before the start of their next scheduled shift and shall not report to work until the conclusion of six (6) hours of off-duty time. The employee will be compensated at their regular rate of pay for the amount of time between their scheduled start of shift and the time they report to work to allow for six (6) continuous hours off duty, up to a maximum of four (4) hours. Such "fatigue time pay" does not represent pay for time worked and shall not be used in computing the overtime rate.

## **Payroll**

### **Time Recording (Exempt and Non-exempt)**

Each employee is responsible for accurately maintaining a daily timesheet on a form approved by the District. A timesheet is a legal record of the hours an employee works. A non-exempt employee's paycheck is based on their timesheet. Timesheets are also used to track paid and protected leave (i.e. FMLA) and for other administrative and record-keeping purposes.

Timesheets shall be kept up to date on a daily basis. At the end of each payroll period, each employee is responsible for reviewing and signing their timesheet, which the supervisor shall then review and approve. Employees are responsible for submitting a completed timesheet by the required date to ensure timely payroll processing. All hours worked shall be recorded daily on the timesheet in increments of fifteen (15) minutes, quarter-hour. Falsifying a timesheet is considered time theft and is subject to corrective action up to and including separation of employment.

Employees are required to utilize their accrued paid leave banks to cover any hours not worked during the workweek.

### **Exempt Time Off (ETO)**

Exempt time off (ETO) occurrences are intended to provide time off for exempt staff when the employee's work requires evening or weekend meetings and/or when the employee's required work responsibilities significantly exceed the typical 40-hour work week. ETO is not "overtime" but a voluntary benefit offered by the District that may be modified or rescinded at the District's discretion. Exempt employees will accrue ETO hours at the rate of one (1) ETO hour for every four (4) hours of "time worked" beyond the normal baseline 40-hour workweek, up to a maximum of 96 hours.

ETO will accrue and be managed on a calendar year basis (January to December). Accrued ETO hours may be used, reported and administered in the same manner as other leave banks. However, during the final pay period in December, ETO will not accrue and instead will be paid at the employee's regular rate of pay (determined by dividing the employee's monthly salary by 160 hours). ETO balances at the end of the year will be cashed out at the employee's regular rate of pay on the final pay date of that year. ETO hours may not be cashed out voluntarily at any other time during the year. Accrued but unused ETO hours will not roll over into the next year. Accrued ETO hours will be cashed

out upon separation of employment. In the interest of and furtherance of public accountability principles and to ensure that public funds are allocated and used appropriately, ETO may not be used before it is earned. If an employee takes unearned ETO, it will be deducted from the employee's other accrued paid leave to the extent available; if paid leave is not available, the exempt employee's salary shall be deducted accordingly, to the extent permitted by law.

### **Pay Period and Paydays**

All District employees are responsible for the timely submission and accuracy of their time records and accounting for all hours worked and/or leave taken.

Employees are paid on a semi-monthly basis, on the 10<sup>th</sup> and 25<sup>th</sup> day of the month or the last business day prior to the payday when it falls on a weekend or Holiday. In order to allow for the processing of payroll and to be paid on the dates indicated, Employees are required to complete and submit their timesheets on their last working day of the pay period. The District reserves the right to process a separate payroll cycle for Employees who submit late timesheets, which will be processed after the dates indicated and at the District's earliest convenience. Excessive late submittals of timesheets may result in discipline, up to and including separation of employment.

### **Emergency Pay Advances**

In the event of an emergency or unforeseen circumstance, employees may need to have money available outside of the typical pay period. Provisions are made for requesting an advance for emergency purposes only. ***The General Manager shall authorize disbursement of emergency pay advances.*** The maximum emergency advance shall be limited to 30% of gross pay, but in no case shall the advance exceed the amount earned to date by the employee. By accepting the advance, the employee understands and agrees that the advanced amount will be deducted from the employee's next paycheck, and the employee expressly consents to such deduction.

### **Payroll Deductions and Documents**

Various payroll deductions are made each payday to comply with federal and state laws pertaining to taxes, retirement, and insurance. To the extent feasible, deductions will be split equally between each pay period. If you have any questions regarding your deductions, please contact the Finance Department.

The Federal Social Security Act covers all District employees. Payroll deductions, as required by the Act, are withheld each pay period.

An Employee Withholding Allowance Certificate (W-4) is provided at the time of hire. Changes can be made during the year by completing a new W-4 form; contact Human Resources with questions. A signed copy will be placed into the employee's personnel file, with the signed original provided to the Finance department. At the end of each calendar year, you will be supplied with your Wage and Tax Statement (W-2) form. It is the responsibility of recently separated employees to maintain an accurate address on file with Human Resources. Questions can be answered by the Finance department.

## **SECTION 4**

### **DISTRICT BENEFITS AND SERVICES**

## Insurances

### Insurance Overview and COBRA

The District provides a comprehensive package of employee benefit programs for its employees. Complete and official details of insurance plans are contained in separate documents, a copy of which employees receive on their first day of work, online on the Public Employees Benefits Board Health Care Authority's website ([www.pebb.hca.wa.gov](http://www.pebb.hca.wa.gov)) or when benefits terms and programs are changed. The descriptions in this Handbook are only brief summaries for your general information. Contact Human Resources for specific details.

The District makes available and pays the full premium cost of a comprehensive insurance program for all full-time employees (medical, dental, vision, life and LTD) up to and including paying the full premium cost of coverage for the employee (subscriber), spouse/domestic partner, and dependents. The options available to part-time employees are explained below.

The District seeks to manage benefit costs while providing a comprehensive benefits package to its employees. The District will review the total expected benefit costs in each budget year. If the long-term trend in benefit costs is within a reasonable and expected rate, the District will pay the full premium cost for medical and dental insurance. If the growth rate exceeds a reasonable rate and is expected to continue above that rate, the District will explore and implement an appropriate cost-sharing strategy for medical and dental premiums with staff. Accordingly, the benefit packages offered by, and the premiums paid by, the District are subject to change at the District's discretion and upon prior notice to employees.

Part-time employees may choose between the District paying their full single premium only or the District paying a percentage share of their entire family premium, with the employee paying for the remaining coverage. For example, an employee working 30 hours/week could choose to have the District pay 75% of the full family premium, with the employee paying the remaining 25%, or the District paying 100% of the employee's single coverage premium and the employee paying for the remaining costs of the family coverage.

Interns are ineligible for District Benefits, except as otherwise required by law, such as state-paid sick leave. Limited-term employees are eligible for District benefits based on their full or part-time schedule.

Employees who are covered under a non-District medical insurance plan may waive coverage under the District's plan for themselves and their families. In such cases, the employee shall receive a monthly payment for such opt-out, which shall be equal to the lowest monthly cost of any available plans for medical coverage for the employee only (subscriber), minus the required dental coverage cost. All current employees who opted out of the District's medical plan prior to January 1, 2026, and who are covered under a non-District or District (e.g spouse, parent) medical insurance plan, shall continue to receive the monthly payment, and these employees are considered to be "grandfathered" under the District's previous policy providing for the same. If duplicate coverage is eliminated, the employee must enroll in the District's plan, and the employee's opt-out payment shall automatically sunset and no longer be available. All employees who opt

out of the District's medical insurance plan must provide proof of duplicate insurance and are required to enroll in the District's medical insurance plan if such duplicate insurance coverage is discontinued for any reason.

Benefits become effective as provided for in the individual benefit programs. You will be provided specific information regarding your effective date of coverage as part of the new employee Orientation process. For more details and official terms of these plans, refer to the plan booklet, which you received on your first day of work, or contact Human Resources. Additional information is available on the Public Employees Benefits Board Health Care Authority's website ([www.pebb.hca.wa.gov](http://www.pebb.hca.wa.gov)).

The existence of these employee benefits and plans, in and of themselves, does not signify that an employee will be employed for the requisite time necessary to qualify for these benefits and plans. Our group health insurance program may be continued at your cost if you leave the District under circumstances described by federal law (COBRA). You and your eligible dependents will receive a detailed explanation of this privilege upon separation of employment.

### **Medical and Dental**

The District provides access to medical and dental insurance for its benefits-eligible employees and their dependents. Qualifications and pro-rating of the insurance are defined in the Insurance Overview section above. Currently, it provides the option of either a Health Maintenance Organization (HMO) or a Preferred Provider Organization (PPO). Election coverage information is provided at the time of hire and is available on an annual election period basis, and in the event of significant qualifying events defined in the insurance coverage as special enrollments.

### **Vision**

The District provides vision coverage to all benefits-eligible employees and their dependents. Payment for the insurance is defined in the Insurance Overview section above. Specific information on coverage is provided at the time of hire and is available from Human Resources.

### **Life, LTD, ADD**

The District provides basic coverage for life, Long-Term Disability, and Accidental Death and Dismemberment, with the option to purchase additional coverage. Payment for the insurance is defined in the Insurance Overview section above. Specific information on each coverage is provided at the time of hire and is available from Human Resources.

### **Flexible Spending Accounts**

The District offers both a Medical Flexible Spending Account (FSA) and a Dependent Care Assistance Program (DCAP) to eligible District employees. Annual enrollment is required each year to utilize this benefit. Please see Human Resources for specific information on each of these flexible spending accounts, including benefits and risks involved when using an FSA or DCAP.

### **Supplemental Insurance**

The District offers Supplemental Insurance options that can be purchased by individual employees on a pre-tax basis. Signing up for individual supplemental benefits is available

at the time of hire or during the annual election period (Open Enrollment), which currently occurs in November. Specific information is available from Human Resources.

### **Long Term Care Insurance**

In administering the WA Cares Fund (Long Term Services and Supports Program Tax), the Washington State Employment Security Department (ESD) establishes and assesses a premium rate for each District employee, as established by law. The employee is responsible for all premiums for Long Term Care insurance, including the total premium rate established by the state. The District shall withhold this amount from the employee's earnings unless they opt out of the program, in accordance with ESD requirements, no later than December 31, 2021. If an employee elects to opt out, the employee is responsible for notifying the District and providing documentation of the ESD exemption approval before the District may stop withholding the employee's premiums. Exemptions from the WA Cares Premiums will take effect on the first day of the quarter following the ESD's approval of the employee's exemption, provided the employee has provided the District with the required proof of exemption.

## **Retirement**

### **Public Employees Retirement System (PERS)**

The Washington Public Employees Retirement System covers all District employees who work in positions that typically require at least 70 hours per month for at least five (5) months each year. New employees must select their plan and, if applicable, their level of funding. Payroll deductions, as required by the retirement plan, are withheld from the employee and the District each pay period.

### **Deferred Compensation**

District employees have the option of investing pre-tax dollars in two 457 plans (as prescribed by law), the State of Washington Retirement Systems Deferred Compensation Program (DCP) and the ICMA Retirement Corporation. Information and forms are available online at [www.icma.org](http://www.icma.org) and [www.dcp.csplans.com](http://www.dcp.csplans.com) or from Human Resources. The deferred compensation benefits offered by the District may be amended, altered, expanded, and/or discontinued in the District's sole discretion.

## **Vacation and Holidays**

### **Vacations**

Vacation benefits are provided to eligible employees, allowing them to take paid time off from work. Vacation time must be approved in advance by the employee's supervisor. Employees should provide at least 48 hours' advance notice or notice as soon as the need for the absence becomes known, as further defined in Attendance Standards under Prior Approval.

#### **Standard Vacation Accrual**

Regular full-time employees accrue vacation according to the following standard vacation schedule:

Standard Vacation Schedule											
Regular Full Time Employees											
Employment Service	1st & 2nd yr		3rd, 4th & 5th yr			6th, 7th & 8th year			9th, 10th & 11th yr		
	1 mo thru 24th mo		25th mo	thru	60th mo	61st mo	thru	96th mo	97th mo	thru	132nd mo
Accrual Rate	8 hrs/mo (4 hrs/pp)		10 hrs mo (5 hrs/pp)			12 hrs/mo (6 hrs/pp)			14 hrs/mo (7 hrs/pp)		
											16 hrs/mo (8 hrs/pp)

Regular part-time employees shall accrue vacation on a pro-rated basis, based on the number of hours the employee is normally scheduled to work.

Interns are not eligible for vacation benefits. Limited-term employees are eligible for District vacation benefits based on their full or part-time schedule.

One-half (1/2) of the employee's monthly vacation accrual is credited to the employee for each pay period worked. Vacation benefits accrue only while an employee is in a paid status. If an employee enters an unpaid leave status, their vacation accrual will be reduced on a prorated basis, measured by the duration of the unpaid status.

### New Hire Vacation Benefits

The General Manager may provide a vacation benefit for new hires, which may include one or both of the following: (i) a starting rate of vacation accrual up to 12 hours per month and (ii) a starting vacation balance of up to 20 hours of accrued leave. Starting accruals or vacation balances at a level beyond that requires Board approval. If an employee is started at an advanced accrual rate, subsequent rate increases will occur according to the schedules below, as if the new employee had been employed by the District for the years credited. For example, an employee starting at an equivalent accrual rate of 12 hours per month or equivalent longevity of 60 months would stay at that rate until completion of the employee's 36<sup>th</sup> month of employment, when the accrual would be increased to 14 hours per month, 97 months combined of credited and actual years of service.

ADVANCED VACATION ACCRUAL SCHEDULES																								
SERVICE YEAR	1		2		3		4		5		6		7		8		9		10		11		12+	
	Month	1	12	13	24	25	36	37	48	49	60	61	72	73	84	85	96	97	108	109	120	121	132	133+
10-Hr ACCRUAL RATE																								
	Hours/month	10		10		10		12		12		12		14		14		14		16		16		16
	Hours/pay-period	5		5		5		6		6		6		7		7		7		8		8		8
12-Hr ACCRUAL RATE																								
	Hours/month	12		12		12		14		14		14		16		16		16		16		16		16
	Hours/pay-period	6		6		6		7		7		7		8		8		8		8		8		8

### Annual Planning

Annual vacation planning should be scheduled with your supervisor by December 1 of each year for the subsequent year. To satisfy your preferences and meet the department's staffing needs, please discuss your vacation plans with your supervisor well in advance. Supervisors will collect requests for vacations and then review them in total to ensure coverage before authorizing the requests. The scheduling of conflicting vacation schedules will be based on Longevity, with the exception of national holidays. Vacations on or around national holidays will be rotated to ensure coverage fairness among all employees within a department.

Additionally, the individual allocation of vacation time beyond the yearly maximum of 24 days will be accomplished after all department employees have requested their initial



preferences. Vacation time may be used in hourly increments of no less than one-half (.50) hour. All employees are encouraged to take at least one vacation of 5 consecutive days each year. Vacations up to three weeks may be taken at any one time, but require department manager approval well in advance of the vacation.

#### Maximum Accrual

Employees may accumulate a maximum of three hundred sixty (360) hours of vacation time. When an employee has reached the maximum allowable accrual, future accruals will cease until such time as the balance allows for additional earnings.

Employees are responsible for monitoring their accruals and scheduling time off as needed to maintain their ability to accrue vacation.

#### Accrued Leave and Separation

Regular employees who have been with the District for a minimum of one year of consecutive service and have successfully completed their Orientation Period may cash out up to a maximum of two hundred forty (240) hours of vacation leave upon separation of employment. Any accrued, unused vacation time (up to 240 hours) will be paid in full upon separation, provided that employees voluntarily resigning from their employment with the District have provided the District with at least two weeks' written notice of their resignation as a condition to such cashout. Employees who fail to provide this required notice of resignation shall forfeit any vacation leave cash-out. Employees whose employment is separated by the District within one year of their date of employment shall not have any accrued unused vacation time paid. Vacation pay is computed at the employee's regular rate of pay upon separation.

#### **Vacation Buy Back**

Eligible employees may cash out up to forty (40) hours of accrued vacation per year. To be considered eligible, employees must have a remaining minimum balance of forty (40) hours of vacation after the cash-out.

Vacation Buy Back will be offered one time annually each year, with requests submitted in November and payments made in December. Eligible employees will be provided with a form approved by the District to indicate the relevant selections. Time may be cashed out in 8-hour increments up to 40 hours total. Vacation Buy Back will be added to employees' wages as additional income with all standard tax implications.

#### **Holidays**

Regular Full-time employees are eligible for eleven (11) paid holidays (8 hours per day) in each calendar year.

<u>Holiday</u>	<u>Date Usually Observed</u>
New Year's Day .....	January 1
Martin Luther King's Birthday.....	Third Monday in January
Presidents Day .....	Third Monday in February
Memorial Day .....	Last Monday in May
Juneteenth... ..	June 19
Independence Day .....	July 4
Labor Day ... ..	First Monday in September

Veterans Day.....	November 11
Thanksgiving Day... ..	Fourth Thursday in November
Friday after Thanksgiving .....	Fourth Friday in November
Christmas Day .....	December 25

Regular employees, excluding Essential Personnel assigned to a wastewater treatment plant, shall observe holidays as follows unless otherwise directed by the department manager. When a District holiday falls on a Sunday, the following Monday will be observed as the holiday. If a holiday falls on Saturday, the preceding Friday will be observed as the holiday. If the holiday, or an observed holiday, falls on an employee's regularly scheduled day off (for example, a Friday or Monday for a 4/10 shift), the employee will observe the holiday on the adjacent workday (Thursday or Tuesday). Full-time employees working a defined shift of more than 8 hours per day (for example, 4/10) will receive 8 hours of paid time off for each holiday and are required to use paid time off (vacation leave, compensatory time, or other non-sick leave time) to make up for or otherwise work the excess hours. A department director or manager may authorize the use of sick leave for a qualifying sick event. An employee in an unpaid status on the days immediately preceding and following a holiday is not entitled to that paid holiday. All holiday pay is compensated at the employee's regular rate of pay, regardless of whether the holiday or observed holiday falls on the employee's regularly scheduled workday.

Regular employees designated as Essential Personnel who are assigned to a wastewater treatment plant are required to work all regular shifts unless otherwise approved by the department manager. Essential Personnel shall be compensated for 8 hours of holiday pay at the employee's regular rate of pay, and they shall be compensated for any time worked on the holiday in accordance with the District's compensation policies. Due to the required seven-day-per-week coverage at the Salmon Creek Treatment Plant, staff assigned to that facility will observe holidays occurring on Saturday or Sunday on the actual date of the holiday. However, they will not receive additional holiday pay for working on the day the holiday is observed by the District. Employees who do not work on the actual holiday but do work on the day the holiday is observed by the District will also receive holiday pay.

### **Floating Holiday**

Regular employees shall receive one (1) floating holiday (8 hours) per year. Floating holidays shall be credited to new hires on their first day of employment and to existing employees in the first pay period of each year.

- Floating holidays must be used by the end of the final pay period of each year, may not be carried forward into the next calendar year, and may not be cashed out if not used.
- Floating holidays must be used in increments of four (4) hours. Requests should comply with procedures outlined for the use of vacation, except that departments may authorize shorter advance request requirements or less formal application procedures.

Regular Part-time employees shall be credited with observed and floating holidays on a pro-rata basis based upon the ratio of the hours worked, per their assigned schedule, to

full-time employment. For example, an employee working half-time (20 hours/week) would be paid for four hours for each holiday.

### **Unpaid Religious Holiday**

Each employee shall be entitled to two (2) unpaid holidays (8 hours each) per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. An employee, in consultation with their supervisor, may select the days on which the employee desires to take the two unpaid holidays, provided that such holidays are taken in a manner consistent with the purpose of this leave.

Requests for an unpaid holiday provided for by this policy should be submitted in writing to the supervisor a minimum of four (4) weeks prior to the requested day. Requests for such holidays shall be considered on a case-by-case basis based on the specific objective facts and circumstances presented at the time of the request. The District reserves the right to disallow any holiday request if it would unduly disrupt operations or otherwise impose an undue hardship for the District or the employee necessary to maintain public safety. For the purposes of this policy, the term “undue hardship” shall have the same meaning established by rule by the Office of Financial Management, as codified in WAC 82-56-020. The unpaid holidays provided herein shall not carry over from one year to the next.

## **Leave Programs**

### **Sick Leave**

Sick leave is provided to continue pay during illness or injury that incapacitates the employee from performing their work, a contagious disease whereby their attendance at work would create a direct threat to the health of fellow employees or the public, or as otherwise provided by law. Sick leave use is subject to certain conditions and restrictions as defined herein.

- Use of sick leave is contingent upon following required procedures and compliance with the purpose of sick leave.
- Earned vacation leave or accrued compensatory time may be used when accrued sick leave is not available, or the employee is nearing the maximum amount allowed in their vacation bank for an absence necessitated by illness or injury.
- Regular Full-time employees shall accrue sick leave at the rate of eight (8) hours per month or ninety-six (96) hours per year. Four (4) hours of sick leave is credited to the employee per each pay period worked.
- In accordance with the state-paid sick leave law, Interns shall accrue sick leave at the rate of one (1) hour per every forty (40) hours worked.
- Sick leave shall begin to accrue as of an employee's date of hire and may be used as accrued.
- Sick leave may be accumulated up to an unlimited maximum number of hours, but will be paid out as defined below.

- Employees may use sick leave in increments of 15 minutes.
- No accrual shall occur during unpaid leave, and sick leave accrual will be prorated based on the number of hours in paid status up to a maximum of the employee's full-time or part-time schedule.
- Regular employees who voluntarily separate their employment with the District will be compensated for 50% of any accrued, unused sick leave pay up to a maximum accumulation of 960 hours (prorated for Part-time employees, based on the number of hours their normal schedule bears to a 40-hour workweek). Such compensation will be paid at the employee's regular rate of pay upon separation and shall not exceed a maximum of four hundred eighty (480) hours. In the case of an employee's voluntary separation, sick leave compensation will only be paid on the condition that the resigning employee provides the District with at least two weeks' written notice of separation. Employees who fail to provide this notice will forfeit their sick leave cash-out. Sick leave shall not be cashed out to employees who have not successfully completed their Orientation Period at the time of separation or for employees whose employment is involuntarily separated by the District (other than due to layoff or reduction in force). Employees who leave the District but who are re-employed by the District within 12 months of their separation date shall have any sick leave that was not previously cashed out to them reinstated upon their re-employment.
- **Workers' Compensation Integration.** An employee may charge their sick leave account for the difference between any compensation received from the Workers' Compensation Insurance program and the employee's normal pay for injuries and illnesses covered by Workers' Compensation. The calculation shall be based on the difference between the employees' normal post-tax take-home pay and the pay for Workers' Compensation.
- **Sick Leave Usage.** Employees may use sick leave for any absence due to: (i) the employee's own illness, injury or health condition to accommodate the need for medical diagnosis, care or treatment of a health condition or preventative medical care; (ii) the employee's care for a family member with an illness, injury or health condition, or to care for a family member who needs medical diagnosis, care or treatment, or to care for a family member who needs preventative medical care; (iii) the District is closed by order of public official for any health-related reasons; (iv) the employee's child's school or daycare is closed for such a health-related reason or after a local, state or federal declaration of an emergency; or (v) absences that qualify for Domestic Violence Leave; or (vi) to prepare for, or participate in, any judicial or administrative immigration proceeding involving the employee or employee's family member.
- **"Family Member."** For purposes of this policy, "family member" means the employee's child (biological, adoptive, foster, stepchild, a child's spouse, or child for whom the employee stands in loco parentis, is a legal guardian for, or is a de facto parent); parent (including the same relationships as set forth for "child" above, including an individual who stood in loco parentis to an employee when they were a child); spouse or registered domestic partner; spouse's or registered domestic partner's parent; grandparent; grandchild or sibling; or any individual who regularly

resides in the employee's home (and who has an expectation that the employee will care for the individual) or where the relationship creates an expectation of care for the person, and that individual depends on the employee for care. "Registered domestic partner" shall have the same meaning as set forth in RCW 26.60.020.

- **Medical and Dental Appointments.** Sick leave will be allowed for doctor and dentist appointments for the employee or members of the employee's family, requiring the attendance of the employee. Employees shall make a reasonable effort to schedule these appointments to cause the least disruption to their workday or, if possible, during off-duty hours.
- **Reporting and Approval Procedure.** Employees shall report their need for sick leave in accordance with the District's Attendance Policy below.
- **Medical Certification in Support of Leave.** The District may require an employee to provide proof of illness, injury or health condition from a qualified health care provider for absences of more than three (3) consecutive days, unless such verification would result in an unreasonable burden or expense to the employee, as established pursuant to Washington State regulation. If an employee believes that the required verification will result in an unreasonable burden or expense, the employee should notify the District, preferably in writing, of this and provide an explanation that (i) the employee's use of the sick leave is for one of the reasons listed above and (ii) how the verification requirement will result in an undue burden or expense. Upon receipt of such notice from the employee, the District will consider the employee's explanation and proceed in accordance with the process set forth in WAC 296-128-660. Failure to provide the required verification may result in the loss of leave benefits for that work period and/or may lead to further disciplinary action.

For absences of three (3) or more consecutive days due to a qualifying immigration proceeding involving the employee or the employee's family member, the employee may verify the need for the leave by submitting either of the following: (i) documentation that the employee or the employee's family member is involved in a qualifying immigration proceeding from any of the following persons from whom the employee or employee's family member sought assistance: an advocate for immigrants or refugees, an attorney, a member of the clergy, or other professional (this verification shall not waive or diminish the confidential or privileged nature of communications between the employee or employee's family member and the verifying individual); or (ii) the employee's written statement that the employee or the employee's family member is involved in a qualifying immigration proceeding and that the leave was taken for that purpose. The District does not inquire about its employees' immigration status or underlying immigration protection, and the employee should not disclose in the verification any personally identifiable information relating to the same.

- **Physicians Release Upon Return.** Depending on the length and circumstances of an employee's sick leave, the District may require a medical certification verifying that the employee has been medically released to return to work (with or without restrictions or limitations) (see also FMLA below).

- **Non-Discrimination/Non-Retaliation.** The District will not discriminate or retaliate against an employee for the lawful use of paid sick leave. If an employee feels that they are being discriminated against or retaliated against under this policy, the employee should contact Human Resources. If the employee is not satisfied with the District's response, the employee may contact the Washington State Department of Labor & Industries.

### **State Paid Family and Medical Leave**

The Washington State Employment Security Department (ESD) administers an insurance program under the Paid Family Medical Leave Act (PFMLA), pursuant to which eligible employees will qualify for partial wage replacement and protected leave benefits for covered family and medical reasons. This policy provides a summary of the PFMLA program, but employees may obtain additional information at [www.paidleave.wa.gov](http://www.paidleave.wa.gov). To the extent that an issue is not addressed in this policy, the District will administer this benefit program in accordance with applicable statutes and regulations.

### **Employee/Employer Premiums**

In administering the PFMLA program, the Washington State Employment Security Department (ESD) establishes and assesses a premium rate for each District employee, which rate is established by law. The employee is responsible for the major share of the total premium rate (the "Employee's Share") as established by ESD. The District deducts the Employee's Share from the employee's paycheck (up to the Social Security cap, as defined by law) in accordance with its standard payroll practices. The remaining portion of the PFMLA premium rate is paid by the District (the "Employer's Share") at the rate established by ESD.

The District reports and remits the applicable PFMLA premiums to the ESD. Should the State modify the PFMLA premium rate or the percentage of premiums subject to collection through payroll deduction in the future, the District will adjust its payroll practices accordingly to reflect these statutory changes.

### **Eligibility**

PFMLA benefits include partial wage replacement, monetary benefits and job restoration benefits. To be eligible for all PFMLA benefits, an employee must have worked at least 820 hours in Washington State in the year leading up to the date of leave. Additionally, to be eligible for job protection under the PFMLA, an employee must have been employed by the District for at least 180 calendar days as of the start of the leave. If eligible, an employee is entitled to job protection under the PFMLA regardless of whether the employee also qualifies for and receives concurrent federal Family and Medical Leave Act (FMLA) benefits. An employee who is on FMLA is not required to apply for or use PFML concurrently; however, the employee's FMLA will be counted towards the total amount of leave entitled to job protection under the PFMLA for the same leave year. For example, if an employee uses six weeks of FMLA and then applies for 12 weeks of medical leave under the PFMLA in the same leave year, the employee will only be entitled to six weeks of PFML job restoration benefits. Job restoration benefits under the FMLA and PFMLA may not be stacked to increase the duration of leave protection. If an employee uses PFML, any FMLA available to the employee will run concurrently with such PFML.

An employee is ineligible for PFML benefits during any period of suspension from employment or during which the employee works for remuneration or profit (e.g., outside employment or contracting).

PFML benefits, as applicable, may be granted for any of the following reasons:

#### Medical Leave

- The employee's own serious health condition, as defined under the federal Family & Medical Leave Act (FMLA) and RCW 50A.05.101, which causes the employee to be unable to work, provided that an employee is ineligible for PFML if also receiving workers' compensation time loss benefits due to a workplace injury.

#### Family Leave

- To care for the employee's family member with a serious health condition.
- To care for the employee's child after birth or placement (by adoption or foster care) within 12 months of such birth/placement (in cases of adoption or foster care, the child must be under the age of 18 years).
- For a family member's qualifying military exigency as defined under the FMLA.

For purposes of this policy, "family member" means the employee's child (biological, adoptive, foster, stepchild, or child for whom the employee stands in loco parentis, is a legal guardian for, or is a de facto parent); grandchild, parent (including the same relationships as set forth for "child" above); spouse or registered domestic partner; spouse's or domestic partner's parent; grandparent; or sibling. "Registered domestic partner" shall have the same meaning as set forth in RCW 26.60.020 and also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee cares for the person and that individual depends on the employee for care.

FMLA runs concurrently with PFML, where an absence is covered by both laws.

### **Application for Benefits**

Applications for PFML benefits are made directly to the ESD. Employees should contact the ESD to commence the application process. The ESD will require the employee to complete its certification form relating to the employee's eligibility and qualification for PFML benefits.

### **Notice**

#### Employee Notice

When the need for PFML is foreseeable (such as for planned medical procedures or the birth of a child), an employee must notify the District of the need for such leave at least 30 days in advance of such leave. If the need for PFML is not foreseeable, the employee must provide notice as soon as practicable.

The employee's notice must be in writing, must identify the family or medical nature of the leave, and must contain the anticipated timing and duration of such leave. If an employee

fails to provide this required notice, the ESD may deny benefits for the period of time during which the notice was insufficient.

Employees apply directly to the ESD for PFML monetary benefits. An employee must, within five (5) business days of employee's receipt of the same, notify the District of the ESD's determination with respect to such application for benefits, including the amount of any awarded monetary benefits. This is to assist the District's recordkeeping and administrative functions, as well as any related paid leave calculations.

If leave is being taken for the employee's or employee's family member's planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt District operations.

If an employee takes leave intermittently, they must notify the District each time PFML leave is taken so the District can properly track leave use.

### District Notice

A workplace poster prepared by the ESD outlining an employee's rights under the PFMLA is posted in the break room(s) of each facility.

Additionally, when an employee is absent for more than seven (7) consecutive days for a reason known to be covered under the PFMLA, the District will provide the employee with a written notice of the employee's rights on such form prepared by the ESD. Such notice shall be provided the later of (i) five (5) business days after the seventh day of absence or (ii) five (5) business days after the District receives notice that the employee is absent for a covered reason.

The District shall provide the employee with written notice of the estimated expiration of job protection under the employee's PFML, for any continuous period of leave exceeding two (2) weeks or any combined periods of intermittent leave exceeding 14 workdays.

When an employee takes FMLA, the District shall provide written notice to the employee confirming that the FMLA job restoration benefits will be credited against employee's PFMLA job restoration benefits, within five days of the employee's initial request for or use of FMLA and then monthly thereafter for the remainder of the leave year.

### **Length of Leave**

Employees who qualify for PFML may take up to 12 weeks of family or medical leave per claim year or a total of 16 weeks of combined family and medical leave. Additionally, female employees whose medical leave involves incapacity due to pregnancy are entitled to two (2) additional weeks of medical leave for a combined total of 18 weeks of PFML.

PMFL may be taken intermittently, subject to the minimum claim requirement of four (4) consecutive hours.

PMFL is tracked during the claim year, which is the 52-week period commencing on the Sunday of the week in which the employee meets the minimum claim requirement or in which the employee first takes leave due to the birth or placement of the employee's child (as applicable).



## **Waiting Period**

Monetary PFML benefits, with the exception of leave taken for the birth or placement of a child, are subject to a seven-day waiting period. This means that for the first seven (7) consecutive days of a PFML claim, the employee may take PFML but shall not receive any PFML monetary benefits. The waiting period for PFML monetary benefits commences on the Sunday of the week in which an employee claims a minimum of 8 consecutive hours of PFML. While no monetary PMFL benefits are paid during the waiting period, the waiting period is credited against the duration of the employee's PFML.

## **Leave Benefits**

While on PMFL, employees are entitled to monetary benefits through the state program. PFML monetary benefits are calculated based on a percentage of the employee's average weekly wage. The benefit is generally up to 90% of an employee's average weekly wage, with a minimum weekly benefit of \$100 (or the employee's actual average weekly wage, if less) and a maximum weekly benefit of \$1000 (adjusted annually). Employees may refer to the ESD's website at [www.esd.wa.gov](http://www.esd.wa.gov) for a benefits calculator, which may provide an approximate estimate of benefits. The ESD is responsible for calculating and paying the PFML monetary benefits.

District-paid time off, including, but not limited to sick leave, vacation leave, and PTO, is non-supplemental to PFML. This means that if an employee uses District-paid leave in connection with PFML, the employee must report such leave use to the ESD, and such use will reduce the Employee's PMFL monetary benefits.

When an employee is on PFML and is not using District paid time off, the employee is considered to be in an "unpaid" status with the District, and non-healthcare benefits shall not accrue to the employee. The employee shall continue to receive their existing paid health care coverage for any duration of PFML that includes job restoration benefits. Once job restoration benefits have ended, health care coverage benefits during the PFML shall be subject to the District's policy for unpaid leaves.

## **Reinstatement/Return to Work Recertification**

An employee who is eligible for job-protected leave will be restored to the same or equivalent position at the conclusion of PFML unless unusual circumstances have arisen (e.g., the employee's position or shift was eliminated for reasons unrelated to the leave). The District may require a return-to-work certification from a health care provider before restoring the employee to work following PFML where the employee has taken leave for the employee's serious health condition and has taken more than three (3) days of consecutive leave and, in any event, such certification will be required if the employee will not be able to fully perform all duties of the position upon the employee's return to work. The employee should notify the District as soon as possible if they expect to have restrictions or limitations placed upon their return to work by their healthcare provider. Under certain conditions, the District may deny job restoration to a salaried employee who is among the highest-paid ten percent (10%) of District employees. If an employee taking PFML chooses not to return to work for any reason, the employee should notify the District as soon as possible.

## **Questions**

Questions regarding this PFMLA policy should be directed to Human Resources.

## **Federal Family Medical Leaves of Absence (FMLA)**

Eligible employees are granted up to 12 weeks of protected leave without pay in a backward rolling 12-month period for qualifying family and medical reasons. To be eligible for such leave, an employee must have worked for the District for at least 12 months and at least 1,250 hours in the preceding 12 months. Employees who expect to take more than three consecutive days of sick or regular leave or more than two intermittent leaves for any of the reasons defined below need to contact Human Resources to determine if FMLA applies and if a Certification of Healthcare Provider form needs to be completed.

If an employee requests or informs their supervisor that they may be taking or have requested FMLA-related leave, the supervisor must notify Human Resources and have the employee contact them to determine if FMLA applies. The supervisor cannot reject or attempt to change an employee's FMLA request before it is determined whether it meets FMLA requirements. Human Resources will review and determine if the request falls under FMLA with its rights and requirements. Human Resources will notify the supervisor and the Finance department of any FMLA status.

FMLA Leave will be granted for any of the following reasons:

1. To care for your child after birth or placement for adoption or foster care (if both parents are employed by the District, combined sick leave shall not exceed 12 weeks);
2. To care for your child (if such child is under the age of 18 or incapable of self-care), spouse or parent who has a serious health condition; or
3. For a serious health condition that makes you unable to perform the essential duties of your job.
4. A "qualifying exigency," as defined by the applicable regulations adopted by the Department of Labor from time to time, arising out of a covered family member's active duty or call to active duty in the Armed Forces in support of a contingency plan. For the purpose of this policy, a "covered family member" means the spouse, child, or parent of an eligible employee.
5. To care for a covered family member who qualifies as a "covered service member." For purposes of this policy, the term "covered servicemember" means a member of the Armed Forces who is undergoing medical treatment, recuperation or therapy, or who is otherwise in outpatient status or is otherwise on the temporary disability retired list, for an injury or illness incurred by the covered servicemember in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating. Eligible employees may take up to 26 weeks of leave during a single 12-month period to care for a covered family member who is a covered servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period. Servicemember FMLA leave runs concurrent with other leave entitlements provided under federal and state law.

In requesting leave, you are required to notify the District if you use paid leave for a reason covered by the FMLA so that the leave will be counted against your FMLA leave allowance. If the District has reason to believe that an employee's absence is due to FMLA-qualifying reasons, the District may initiate the FMLA process for the employee. FMLA will be monitored and tracked on a "calendar year" basis (January 1 to December 31). Employees are responsible for notifying Human Resources of any changes in status, especially when a qualifying event or condition no longer exists.

You must provide the District with at least 30 days written notice when your FMLA leave is foreseeable. If leave is not foreseeable, you must provide notice as soon as practicable. Otherwise, leave may be delayed until 30 days after notice is given. The FMLA Leave Request form is available from Human Resources. When leave is taken for a serious health condition (either your own or a family member) that is expected to extend beyond five consecutive working days, the request must be supported by a medical certification (FMLA Certification of Healthcare Provider Form for Self or Family Member). The District may require a second or third opinion at the District's option and expense. The Certification of Healthcare Provider form is available from Human Resources.

To the extent permitted by law, accrued paid leave (sick leave and vacation leave) must be used while on FMLA. Paid leave may not be used as an extension of FMLA leave. Sick leave and vacation leave will not accrue during periods of unpaid leave.

FMLA leave runs concurrently with PFMLA leave, and FMLA job restoration benefits will be credited against PFMLA job restoration benefits to the extent permitted by law.

Intermittent or reduced-schedule leave may be taken when medically necessary for either your own serious health condition or for that of a family member.

If your leave extends past two weeks, the District requires you to report at least every two weeks on your status and intent to return to work, unless your medical certification is for a longer duration, in which case you should advise the District of any changes to your estimated return to work, as certified. During FMLA leave, the District will continue to provide health insurance on the same basis as during regular employment. If you take unpaid leave, you must pay the premiums for other insurance plans, such as disability and life insurance and other supplemental benefits you may have elected to enroll in.

The District retains the option of requiring you to provide a medical certification of your fitness for duty to Return to Work (RTW) after a medical leave for your own serious health condition. When you return to work following your FMLA leave and have not exceeded the maximum duration, and absent extraordinary circumstances, you will be returned to your former or equivalent position. If you have additional questions, please contact Human Resources.

### **Bereavement**

In the event of the death of a family member, employee may take time needed, up to 24 hours, with pay, to handle family affairs and attend the funeral. For purposes of this policy, "family member" means the employee's child (biological, adoptive, foster, stepchild, or child for whom the employee stands in loco parentis, is a legal guardian for, or is a de facto parent); parent (including the same relationships as set forth for "child" above); spouse or registered domestic partner; spouse's or registered domestic partner's parent; grandparent; grandchild or sibling. "Registered domestic partner" shall have the same

meaning as set forth in RCW 26.60.020. If the employee's deceased family member resided more than 250 miles from the District office, then 16 additional hours of leave may be taken for travel. Within the discretion of the District, bereavement leave may be combined with sick leave, vacation leave or an unpaid leave of absence.

Funeral leave for relatives that fall outside of the definition of "family member" (e.g., aunt, cousin) may be granted through the use of sick leave for 8 hours. Any additional hours granted must be taken as vacation.

### **Jury Duty and Court Appearances**

In order that you may serve on a jury without loss of earnings, the District will pay your normal earnings for the period of jury service up to 80 hours, which includes federal jury duty. You must, however, sign over to the District and submit to Finance all court payments (checks) received by you for jury service. You can then submit an expense reimbursement form to Finance for your actual expenses (i.e., mileage, meals, or lodging) paid by the Court in those court payments. Please contact your supervisor, Human Resources, and the Finance department promptly after receiving notification to appear. You must also immediately return to work each day following your completion of jury duty unless there are less than two (2) hours remaining in your normal work schedule or if your place of jury duty is outside the local area and you are unable to work remotely from your temporary place of residence.

If an employee is subpoenaed to appear in court on a non-District-related matter, that time is not compensated, and the employee must use available paid time off for such appearance. If no paid time off is available, the time will be unpaid.

### **Military Leave**

The District follows the provisions of the laws of the State of Washington RCW 38.40.060. Any authorized leave in excess of that provided by law shall be charged to leave without pay, paid time off or compensatory time.

### **Pregnancy Disability Leave**

Female employees not eligible for Paid Family Medical Leave and/or Family Medical Leave, or who otherwise have exhausted their PMFLA/FMLA benefits, are entitled to an unpaid pregnancy disability leave of absence for the period of her actual disability due to pregnancy, childbirth or related medical conditions; employees seeking leave under this policy should provide written notice of the intended leave dates at least 30 days in advance of the leave or as soon as possible in the case of an emergency.

Pregnancy disability leave runs concurrently with Family Medical Leave or Paid Family Medical Leave and may not be stacked upon these leaves. However, pregnancy disability leave remains available to the extent that the employee's pregnancy disability exceeds leave available under the FMLA and/or PFMLA.

Pregnancy disability leave is a protected status and is unpaid; however, an employee may elect to use any available accrued leave during this time. If an employee goes into unpaid status during a pregnancy disability leave, that employee may elect to continue coverage under the District's group health plan pursuant to COBRA, in which case the employee shall be responsible for the costs of such continued coverage.

An employee returning from such leave is entitled to the same job with the same pay unless the District's circumstances have so changed as to make it impossible or unreasonable to do so.

### **Personal Leave of Absence**

The General Manager may authorize a personal, voluntary leave of absence of up to 30 days for compelling personal reasons. Approval is at the discretion of the District considering department work requirements, employee's performance history, and other factors. A leave of absence may be granted only after the employee has successfully completed their Orientation Period. All leaves of absence should be requested by the employee in writing at least 30 days prior to the date such leave is to commence unless an emergency precludes such notice.

During an approved leave of absence, the employee is in an unpaid status unless they elect to use paid leave for any portion of the absence, but they shall remain eligible for District paid insurance benefits, and there is no loss of service credit (employees shall not continue to accrue paid leave benefits during their personal leave). The employee shall contact Human Resources and/or their Supervisor to discuss and make arrangements for employee-paid benefit continuation and the approval processes before requesting the leave. The employee must provide notice, as required, during their absence. Failure to return within the time approved shall constitute cause for separation of employment.

A leave of absence may be extended when, in the judgment of the General Manager, the absence will not be detrimental to the operation of the District. Any extension must be requested in writing and may only be approved by the General Manager for a certain date. An employee is not eligible for paid District insurance benefits beyond the first 30 days of an approved leave of absence (but may elect to continue such coverage pursuant to COBRA). Once an employee returns to work and the leave of absence is terminated, the leave of absence may not be reinstated. However, a new request for a leave of absence may be submitted for consideration.

### **Leave Without Pay**

An Employee may request and be authorized to enter leave without pay status for unforeseen and emergency needs and events that are out of the employee's control and not part of an approved Personal Leave of Absence, but only after they have exhausted all accrued paid leave, except as provided by law. Leave without pay is not to be used as a substitution for vacation time. Any unpaid leave less than two (2) days requires Director/Manager approval, and any leave more than two (2) days requires General Manager approval. The Employee remains eligible for District-paid insurance benefits (up to 30 days), with no loss of service credit hours. However, paid leave does not accrue while in an unpaid status. During approved leave, the employees must call in accordance with District call-in policies. Violations of this policy may result in corrective action up to and including separation of employment.

### **Domestic Violence Leave**

A District employee is eligible to take reasonable leave, including intermittent leave, when the employee or employee's family member is a victim of domestic violence, sexual abuse, stalking, or a hate crime in accordance with Chapter 49.76 RCW. The employee may elect to use accrued paid leave, other paid leave, or leave without pay for their time

away from work. Employee shall give the District advance notice of such leave, whenever feasible, consistent with District leave policies and in accordance with state law. The District may require verification that the leave taken qualifies under and was taken for the purposes described in state law.

### **Changes in Leave Status**

A District employee may transition from one leave status to another depending on the circumstances that arise during the leave. For example, an employee on vacation leave will be able to transition to holiday leave status for a District-defined holiday and then return to vacation leave status. An employee may transition from vacation status to sick leave status based on the circumstances of the event and with the approval of their manager.

## **Leave Donation Program**

### **Criteria and Eligibility of Requesting Employee**

District employees seeking to apply within the policy must meet the following criteria and eligibility:

1. Have a significant FMLA-qualifying event that could include a medically documented illness or injury to themselves or their immediate family that requires them to be unable to work for at least 14 days.
2. Have exhausted their vested paid time off banks (sick leave, vacation, floating holiday, comp time) and expect to be unable to work their normal work schedule for at least 14 days past their exhaustion of paid time off.
3. Must be eligible for leave benefits in their individual benefit package.
4. Be in good standing at the District (not under a corrective action process).

### **Criteria and Eligibility of Voluntarily Donating Employee**

District employees seeking to voluntarily donate their vested leave to an eligible employee must meet the following criteria for any type of leave that is to be donated:

- Vacation – After donating the time, a minimum account balance of 80 hours must remain.
- Sick Leave – After donating the time, a minimum account balance of 200 hours must remain.
- Exempt Time Off – May be donated if the employee meets the minimum sick leave accruals set forth above.
- Only a maximum of 40 hours (in any combination) can be donated per request.

### **Application Process**

A District employee seeking to participate in the Leave Donation Program (LDP) will complete the LDP form and submit it to Human Resources. The form will include the nature of the condition, anticipated duration, current vacation and sick leave balances and estimated amount of additional leave needed. The employee will provide any

information that can be communicated to the District employees if the request is approved by the General Manager. An employee can submit more than one application to the District for any qualifying eligible event defined above.

The applicable department manager will review the submitted application. The department manager will provide any additional information they feel is important for the General Manager to know in determining the approval or rejection of the application. The updated application is then submitted to the General Manager for review and action.

The General Manager will review the application and determine the action (accept or reject) of the application. The decided action and application packet is then sent to Human Resources for administration.

Human Resources will, upon receipt of an approved application, send a communication to all employees advising that a request for donated leave has taken place. The communication will include the employee's name, the written description of the event as defined in the application and the expected duration of the event (without disclosing personal medical information). Employees will be reminded of the donation criteria and that a signed, written donation request must be received by Human Resources to authorize the donations.

The District will monitor donated leave request balances on a bi-monthly basis. Employees will be informed once the expected leave time need has been met and there is no current need for additional hours. Donation requests received beyond the expected level of need will not be approved and will be returned to the donating employees. If, over time, additional hours are necessary and requested, including during a return-to-work period when the employee is limited to working part-time, employees may submit additional hours at that time within the limits defined above.

The signed written request will include the name of the donating employee, the name of the recipient employee and the number of sick hours and/or vacation hours being donated. It will also include the understanding that all hours donated will be used for the benefit of the receiving employee, as outlined in the guidelines noted in this section. Vested hours will accrue to the receiving employee's leave bank at the dollar value of the donating party. For example, Employee A donates five hours of vacation at their hourly base rate of \$20 per hour. The receiving employee's base rate is \$10 per hour. The receiving employee would accrue \$100 of vested time or the equivalent of their 10 hours at \$10 per hour. Note that sick time hours are vested at 50%, and consequently, any sick time hours donated will accrue at 50% of the donating base rate to the receiving employee. A minimum of two (2) vested hours can be donated. Vested hours include vacation, sick time, floating holiday, and comp time.

Donated leave will be tracked in a separate account for the employee and may only be used for sick time events. Donated leave cannot be used for vacation events. The employee will accrue District-paid leave (sick leave, vacation) when using donated leave.

## **State Compensation and Reimbursement**

### **State Unemployment Insurance**

This program is self-funded by the District and is in compliance with all state regulations and requirements. The program provides weekly benefits if you become unemployed through no fault of your own or due to circumstances described in the law.

### **Workers' Compensation**

The District carries insurance to cover the cost of work-incurred injury or illness. Benefits help pay for employees' medical treatment and part of any income lost while recovering. Specific benefits are prescribed by law depending on the circumstances of each case and the employee's state of residency. To ensure maximum coverage, employees must immediately report work-related accidents to their supervisor, Human Resources, and the Washington Department of Labor and Industries (WA) or the appropriate agency for their state of residency.

The District desires to participate in the Stay-at-Work program through the Washington State Department of Labor and Industries. If an employee suffers a work-related injury and has medically necessary job restrictions, the District will make a reasonable effort to provide doctor-approved light duty or transitional jobs for the employee, when available. Employees are not guaranteed light-duty or transitional jobs for non-work-related injuries.

### **Travel and Subsistence**

The District has an adopted travel policy, which provides for reimbursement of expenses incurred by employees in carrying out their responsibilities with the District (see the current adopted travel policy). Please contact your supervisor or Human Resources for specific information regarding eligibility for reimbursement of these types of expenses, prior to traveling, if you have questions.

## **Other Services**

### **Education and Training Assistance Programs**

The District offers all employees opportunities for professional development. All employees are encouraged to participate in workshops, seminars, and other educational and developmental programs to improve job skills. At least once a year, employees are encouraged to attend a special training workshop or conference that is directly related to their position at the District. These classes are usually held during normal workdays and last from four hours to two days at a maximum, depending upon the training being provided. It is expected that local opportunities will be sought out; however, in the event that specialized training cannot be found in the local area, meals and lodging costs may also be covered as part of the training expenses. There is no specific, fixed amount authorized for each employee. Every effort is made to ensure adequate funding in the District's Annual Budget to accommodate requests for workshop attendance. Employees should submit funding requests to their department manager during the annual budget development process for the following year to ensure requests are identified and funding requests are reflected in the proposed budget.



The Education Assistance Program is established to encourage employees to continue their personal development and formal education in order to meet present and future needs of the District, to increase employee effective work performance and efficiency and to facilitate promotion from within the District.

Any class, seminar, education program or certification/test that employees seek reimbursement for MUST receive prior written approval from the Director/Manager unless otherwise authorized by the General Manager. Additionally, participation in programs that require time away from work and incur related expenses requires approval prior to registration for the program. Employee's time spent attending courses in pursuit of their formal education is voluntary and is to be done on the employee's time. It is not time worked and is not compensable.

#### Eligibility

All regular employees who are in good standing with the District and have successfully completed their Orientation Period are eligible for education reimbursement or as otherwise authorized by the General Manager.

#### Eligible Courses

Courses must relate to the employee's current or future job assignment and/or opportunities and must be offered by a qualified training institution or educational facility. A qualified training institution is one that offers accredited coursework transferable to other academic institutions or those institutions that provide courses that allow you to become certified or are awarded certain designations.

Training programs, such as workshops, institutes, seminars, and symposia, that do not meet the above criteria are not covered under the Education Assistance Program. These types of courses may be attended during regular work hours after review and approval by the General Manager or designee.

#### Reimbursement

The program covers the cost of tuition, required textbooks, enrollment fees and costs, and examination fees. Reimbursement will not be made if the employee is eligible for reimbursement from other sources. Portions not covered by other sources MAY be covered by the District up to the limit of this policy.

#### Limit

The District will reimburse each Regular employee for tuition for voluntary job-related education up to a maximum amount as defined each year. Human Resources will review IRS thresholds and the resident tuition rate and enrollment fees for a state college or university and recommend an annual maximum dollar limit in the form of a memo provided to the General Manager for approval. Employees pursuing formal education under an approved professional development plan may be eligible for reimbursement of the full amount of their tuition and fees upon their department director's recommendation and approval of the General Manager.

Reimbursement and/or payment is conditioned on:

- The educational course must have been approved by the District prior to the employee's enrollment unless otherwise approved by the General Manager;
- The employee must receive a grade of 'C' or better, and
- Budget approval and the availability of funds.

#### Application

Employees seeking reimbursement or payment for a class, course, seminar, education program, certification or test must complete and submit the appropriate form and receive approval before enrolling, except for newly hired employees, when enrollment was completed prior to their date of hire. A copy of the signed form will be placed in the employee's personnel file. Forms are available from Human Resources.

#### Claim for Reimbursement

Upon successful completion of the class/course and within six months of the date the fees were paid, the employee must provide the District with a copy of the grade report and receipts for approved expenses. For examinations/tests, the District will pay the examination/testing fees only once, regardless of the outcome, pass or fail. Courses that do not have a grade or a pass/fail shall be reimbursed upon completion of the course. The District may, at the discretion of the General Manager, sponsor and pay for tuition and fees, in lieu of employee reimbursement, for education associated with an employee's approved professional development plan.

#### Wages and Taxes

Reimbursement and/or payment for education in excess of the current IRS threshold will be considered taxable wages and will be subject to all applicable payroll taxes. Amounts below the threshold will be excluded from an employee's taxable wages when meeting the criteria outlined above and as detailed in Internal Revenue Service Publication 15-b, Employer's Guide to Fringe Benefit.

#### Repayment

If the employee voluntarily separates their employment with the District within two years after completion of any course or courses, and the cost of which the District paid is in excess of \$500, the employee must repay the amount reimbursed or paid for that course or courses, as per the schedule below. The amount will be withheld from the employee's final paycheck. By accepting tuition/education reimbursement, an employee understands and acknowledges that this benefit is conditioned upon them continuing to work for the District for at least two years following completion of the course(s), that until this condition is met, the reimbursement constitutes a debt owed by them to the District, and that they expressly authorize the withholding of their owed repayment from their wages, including their final paycheck. To the extent that the employee's wages do not satisfy the repayment amount in full, the employee shall remit payment for the outstanding balance within thirty (30) days of separation of employment.

<b>Time from Course Completion</b>	<b>Repayment Amount</b>
0 to 12 months	50%
13 to 24 months	25%

### **Certification and Licensure Incentive Program (CLIP)**

The District wishes to encourage employees to engage in professional development and formal certification and licensure, and to promote cross-training of its employees. This program provides a financial incentive for employees obtaining and maintaining work-related certifications and licenses that provide a demonstrated business value to the District, increasing the skill set and functionality of its workforce, and the resiliency and professionalism of District operations.

#### Guidelines

1. A certification or license must provide a distinct business value to the District.
2. The General Manager, or designee, has the sole discretion to determine the business value, if any, of a certification or license.
3. This is a voluntary program and is not a requirement of any position.
4. For new certifications and licensure, employees should first consult with their Supervisor/Manager and Human Resources to review their qualifications under this program.
5. The cost of training associated with obtaining a certification or license may be covered under the District's Education Assistance Program. Refer to that policy for additional details or consult Human Resources.
6. Incentive payments are subject to budget approval and the availability of funds.

#### Eligibility

Employees are eligible to receive an incentive if they:

1. Are in Good Standing with the District.
2. Have successfully completed their Orientation Period.
3. Have submitted documentation providing proof of the employee's receipt of the approved certification or license.
4. Are still employed with the District at the time the incentive payment is due.
5. Have maintained any certification or licensure that was covered under this program in the prior year.

### Qualifying Certifications & Licenses

Certifications and licenses that are not required of the employee's current position and that can be shown to provide a direct business value to the District qualify for the incentive program. This includes but is not limited to certifications and licenses that:

1. Are listed as desired or preferred requirements within the employee's current position description.
2. Are at a more advanced level than what is required in the position description.
3. Are relevant and directly apply to the position.
4. Are part of an approved employee professional development plan.
5. Add value and are recommended by the employee's manager and Director for approval.
6. Are issued by a reputable and recognized organization, including but not limited to a state board of certification and licensure and professional or trade associations.

### Exclusions

1. Certification or licensure required of the employee's position.
2. Incentive payment, or renewal thereof, will not be made when the employee is promoted to a position where said certification or license is then required.
3. There will be no prorating of incentive payment for partial year coverage for certifications/licensure, which expired and were not renewed during the year.
4. Certificates of completion for education or training, where no formal license or professional certification is achieved or awarded.
5. Incentives will not be paid to the General Manager, Department Directors, or the senior Manager in charge of a department that is not under a Director.
6. Certification/Licensure of Interns.

### Incentive Value and Payment

1. The incentive payment for each certification or license recognized shall be \$1,750, as may be amended from time to time by the General Manager. The amount of the incentive is based on the associated business value/benefit provided to the District. This includes consideration of the additional knowledge, skills, and abilities afforded to the employee and the additional services and functionality the employee can provide on the job. Emphasis is placed on certifications and licenses, which enhance the District's resiliency and ability to provide its essential services. Examples are provided below:
  - a. Group 1 Operator or WWCPA-Level 1 certification; examples below.
    - i. Maintenance Specialist obtaining a Group 1 Operator certification.
    - ii. Maintenance Specialist 1 or Maintenance Technician 1 obtaining a Commercial Driver's License.

- b. Group 2 Operator or WWCPA-Level 2 certification; examples below.
    - i. Operator 1 obtaining a Group 2 Operator certification.
    - ii. Maintenance Specialist 1 obtaining a WWCPA-Level 2 certification.
  - c. Group 3 Operator, or WWCPA-Level 3 certification; examples below.
    - i. Operator 1/2 obtaining a Group 3 Operator certification.
    - ii. Maintenance Specialist 1/2 obtaining a WWCPA-Level 3 certification.
  - d. Group 4 Operator or professional licensure; examples below.
    - i. Operator 3 obtaining a Group 4 Operator certification.
    - ii. Professional licensure: CPA, P.E., CPMP.
2. The employee will receive a lump-sum incentive payment upon initial receipt of the certification or license.
    - a. The initial Incentive payment will be included in the normal payroll cycle immediately following accrual and is subject to all applicable payroll taxes.
  3. Employees are eligible to receive incentive payments for each subsequent year that the certification or license is valid and held in good standing.
    - a. The employee is responsible for submitting an incentive payment application annually for each subsequent year. The application must be submitted by March 31.
    - b. The subsequent annual incentive payment(s), if qualifying, will be included in the normal payroll cycle for the May 10 pay period and are subject to all applicable payroll taxes.
    - c. Certifications or licenses without a specified term or expiration date and which do not require renewal or recertification are not eligible for subsequent payment.
  4. Employees may only qualify for a maximum of two incentive payments per year.
  5. The employee is responsible for completing, signing, and submitting the Certification Incentive Request Form following adopted procedures.

### **Employee Assistance Program (EAP)**

The District provides all employees, spouses, and dependents access to a comprehensive Employee Assistance Program (EAP). The EAP is a free and confidential service that will provide professional counselors to evaluate your situation and refer you or someone in your immediate family to the best possible community resources. For confidential assistance, call 1-877-313-4455. Please see Human Resources or go online at <https://des.wa.gov/services/employee-assistance-program/employees> for more information.

## **Automatic Bank Deposit**

Many of our employees find it convenient to have their regular paycheck automatically deposited into their bank account. All employees are afforded this option upon hire. If you would like to make a similar arrangement, contact Human Resources for a Direct Deposit Authorization and Enrollment form.

## **Fitness Program**

The purpose of the District Fitness Program is to provide employees with a place to enjoy the numerous benefits of regular exercise. The District acknowledges that busy schedules and lifestyles can make it challenging for individuals to maintain physical fitness. The District provides an exercise facility as an optional benefit for the employees to use during designated non-work hours. This policy applies to employees of the District.

The District provides and maintains a room equipped with fitness and exercise equipment, as well as an Alexa voice-activated virtual assistant safety feature, for the use of District employees. It is available for employees to use for exercise, maintenance, and development of strength, flexibility, and cardiovascular health. The facility may only be used by current District employees and their immediate families (when accompanied by the District employee) who meet all of the policy conditions:

- Only employees and family members who have presented a signed release from their personal physician and have signed the Indemnification and Release Agreement may use the facility.
- Employees shall complete any training offered by the District.
- Employees and their family members shall use the equipment at their own risk.
- The General Manager shall set the hours of facility availability. Initially, these hours shall refer to time periods before and after normal working hours (as designated by the manager), as well as employee breaks and lunch.
- Employees who use the facility are expected to keep it clean and offer suggestions for improvements. They should also report any problems with equipment and adhere to all rules and guidelines for the facility.
- The District may periodically sponsor training on the proper use of equipment and may require employees to attend, at their own time and expense.
- Only District-owned equipment will be used in the facility. The manager may approve other equipment after consultation with the District's legal counsel.
- Employees must use the equipment properly and exercise with appropriate techniques. This includes free weights, which require the use of a "spotter" when bench pressing to ensure a safe exercise routine.
- No food, drinks, or supplements (except water) shall be used, sold, or distributed by any person or by the District in the facility.

## **Professional & Technical Certification & Licensure Programs**

The District recognizes its responsibility to provide the public with a proficient, competent, and professional staff in the delivery of essential services. The District seeks, whenever

possible, to develop and demonstrate a proactive approach to achieving or exceeding public works standards and expectations, while providing employees with opportunities for career development, advancement, personal achievement, and reward.

#### Professional Certification and Licensure

The District recognizes the benefits of, and for certain positions may require, employees to hold a professional certification or license. This includes, but is not limited to, licensure as a professional engineer (PE), certification as a public account (CPA) and certification as a project management professional (PMP).

#### Wastewater Operations & Maintenance

To meet these objectives in the wastewater maintenance and operations area, the District participates in certification programs through the sponsorship of the Washington Wastewater Collection Personnel Association (WWCPA) and Washington State Department of Ecology (Ecology) Wastewater Operator Certification Program.

One of the program's objectives is to protect public health and the environment, and to provide a system that evaluates and certifies the special skills and qualifications of wastewater personnel.

New Hires/New Transfers: All Maintenance Specialist employees will be required to successfully complete, at a minimum, the Washington WWCPA Wastewater Collection Specialist (WWCS) Level 1 certification. All treatment plant operator employees will be required to successfully complete, at a minimum, the Wastewater Treatment Plant Operator (TPO) Grade 1 certification. This requirement must be met within one (1) year of the employee's date of hire and will be considered a condition of continuing employment.

The programs offer four levels of knowledge and competency-based certification. Certification designations are Wastewater Collection Specialist (WWCS) I, II, III and IV and Treatment Plant Operator (TPO) Grade I, II, III and IV. Designations are granted in progressive order; therefore, levels may not be skipped unless certification within a similar organization is held. The WWCPA is the only recognized authority for review and certification of collection system personnel, and Ecology is the only recognized authority for review and certification of TPO personnel. In addition to examinations, each certification level requires minimum qualifications in education and experience. [For detailed information regarding WWCS qualifications, see *Articles of Incorporation & Bylaws of the WWCPA*].

#### Training & Examination Fees

Employees are encouraged to take advantage of training opportunities that assist employees in preparing for the certification and licensure exams. The District will pay the costs associated with attending a training session once only per license or certification level, which may include:

- Transportation - District vehicle provided
- Registration (e.g., WWCPA Sewer Maintenance School)
- Travel time away from work

- Meals
- Overnight lodging
- Enrollment fee and books (e.g., Sacramento State Office of Water Programs: Operation of Wastewater Treatment Plants, Volume I)

The District will pay the examination costs for certification and licensure as follows:

- Initial membership fee and fees for renewal thereof
- Examination fee (initial test and one retest at each level only)

If an employee fails an exam on their first attempt, they may opt for additional retests. The District will cover the cost of one retest; the time and location of the retest will be determined by the District. For all additional retests, the employee must pay any required examination fees and use their own personal leave time to cover their absence from work (Vacation or Floating Holiday time only).

Additionally, employees will be responsible for providing their own transportation and any other associated costs for re-taking the exam (after the first initial re-take). If other District personnel are traveling to the test site for certification purposes and space is available, they may ride in the same vehicle.

Successful certification or licensure will help employees meet the requirements for advancement within a classification series or qualify for another position. This will allow the employee further opportunities to apply for an open position if one becomes available.

Successful certification or licensure will not change the grade or step of the employee within their current job classification and position.

The governing body issuing the certification or license may, at its discretion, recognize and honor certification and licensure obtained in other states (reciprocity). In this situation, the employee will be responsible for applying for reciprocity.

The District, while supporting this program, has no control over course or examination content, availability of training, test dates, materials or certification criteria and awards. Employees are required to meet any and all criteria in order to obtain certification. The District will determine the number of staff available for testing based on business and staffing needs.

Failure to obtain a certification or license required for the employee's position within the time required will result in separation of employment. Failure to maintain a required certification or license after it has been obtained is subject to corrective action up to and including separation of employment.

### **Commercial Driver's License (CDL) Program**

The District requires employees in specific positions to have and maintain a CDL in order to perform the duties of their jobs (see position descriptions). The District provides access to training, resources and vehicles for the training and testing required to obtain the CDL. To the extent allowed by law and based on the employee's demonstrated proficiency, the District will provide documentation to the State that the employee possesses the



necessary training and skill set to safely operate a commercial vehicle and pass the skills test. The District provides the CDL vehicle to take the skills test.

The District will generally pay the costs associated with obtaining the CDL to include:

- CDL pre-test and pre-trip training (6 hours, one time).
- Initial test and license (renewals will be paid by the District).
- Allow employees to take the initial test and initial training during normal work hours.

Should an employee fail an exam on the first attempt, the employee must retest to obtain the CDL. In this situation, the employee must pay any required examination fees and use their own personal leave time to cover their absence from work (Vacation or Floating Holiday time only). The District will provide the CDL vehicle to take the driving test.

Employees who are required to hold a CDL are subject to additional policies, restrictions, and requirements related to their employment.

If a person to be hired into a position that requires a CDL has, during the previous two years, operated commercial vehicles for any other employer(s), that person must authorize a request of all former employers within the past two years to release information regarding positive alcohol or drug tests and refusals to be tested. This information must be obtained before the person is employed by the District. However, if the information has not arrived by the anticipated hire date, and if the person has passed the pre-employment drug and alcohol test (as applicable), the person may be hired, and the requested information must be obtained from the previous employer(s) within 14 calendar days of the date of hire. If the information is not received within 14 calendar days, the person shall not be permitted to drive commercial vehicles until the information has arrived. If the information does not arrive timely, or if the information obtained from a previous employer(s) indicates either a positive test or a refusal to be tested, or if the employee obstructs or interferes with the release of the information, the employee shall not be permitted to drive commercial vehicles and may be separated.

CDL holders are also subject to random drug and alcohol testing in accordance with USDOT guidelines.

CDL holders must also report accidents, traffic convictions, and/or license suspensions/revocations (whether on or off the job) in accordance with USDOT requirements. CDL holders are responsible for knowing, understanding, and complying with their licensing obligations. The District will conduct an annual review of each employee's CDL status, as applicable. Failure to obtain a CDL within the required timeframe for the position will result in separation of employment. Failure to maintain a CDL, which is required for the position, after it has been obtained, is subject to corrective action, up to and including separation of employment.

### **Uniforms, PPE, and Outerwear**

The District provides and makes available uniforms, PPE, and select workwear and outerwear to all field personnel (e.g., Operations, Maintenance, and Inspection), including regular and temporary employees and interns. This is provided as a benefit to ensure the health and safety of employees and to present District workers to the public in a professional manner.

As representatives of the District, field personnel have a responsibility to represent the District in a positive and professional manner. One of the ways of accomplishing this responsibility is to wear the uniform every day. The uniform will be determined by and assigned to field personnel by the department director/manager. The director/manager will consider the working conditions, work environment, safety, the degree of public exposure, and direct interface. As such, the uniform may be different for various work groups.

Field personnel will wear the assigned District uniforms, hats, name tags and safety equipment with the District's logo while working in the field. This is an expectation of the District and the Board of Commissioners.

The safety of our employees is a key objective of the District. The District will provide and make readily available the necessary PPE to minimize exposure to workplace hazards. Examples of PPE furnished by the District include, but are not limited to, gloves, hard hats, hearing protection, safety glasses, and high-visibility vests. Employees will be trained in the proper use and care of PPE. Employees who do not demonstrate the proper understanding and skill level in the use of PPE will be required to participate in retraining.

### Boots

All employees working in an environment where foot injuries could occur must wear safety-toe work boots. Once a year (every 12 calendar months or as needed, but no more than once a year), all field personnel and any District employee who is required by the District to enter into sites requiring PPE-defined safety toe boots are authorized to purchase one (1) pair of safety toe boots, and any upgrade to the boot, from the vendor of their choosing.

Once every four years, all field personnel are authorized to purchase one (1) pair of safety-toe rubber boots. The employee is responsible for providing reasonable care and maintenance for their boots, as with all personal protective equipment.

### Outerwear

Appropriate outerwear, including but not limited to rain gear and gear for inclement weather, will be provided to all field personnel to ensure they can safely work during such events.

### Eye Protection

Suitable eye and face protection will be provided appropriate to the job hazard. This may include, but is not limited to, safety glasses, goggles, and face shields. Use of ordinary prescription lenses does not provide adequate protection. Employees with corrective lenses shall wear appropriate eye protection that fits over their prescription lenses. At the discretion of the Director or Manager, the District may authorize the purchase of, or reimburse the employee for, a pair of prescription safety glasses.

### Replacing PPE

The Department Director or Manager, in collaboration with the Safety and Health Coordinator, shall determine the necessary frequency for providing PPE and when it is necessary to replace worn or damaged PPE. The employee's department director or

manager may authorize the purchase of PPE or outerwear outside of the normal cycles specified above, upon receipt and approval of a request from an employee for an exemption due to a justifiable event or circumstance, including, but not limited to, theft or premature equipment failure.

### **Reimbursement**

Each year, Human Resources will consult with the Operations Managers and will recommend a maximum dollar amount, after discount and before sales tax, for reimbursement of purchases of boots and rain gear.

The amount shall be stated in the form of a memo provided to the General Manager for approval. Prior to ordering, the employee must pay any cost in excess of the authorized amount. If possible, costs within the limit will be billed directly to the District. If an employee has any questions about this policy, please contact their supervisor or the Safety and Health Coordinator.

### **Management Communications**

The District may provide coffee and like-kind beverages for the public and District employees during business hours or during the conduct of District business. It may provide refreshments for District employees during the regularly scheduled All Employee meetings, as this serves a business purpose and enhances customer relations.

The District conducts an annual business meeting for the Board of Commissioners and employees to facilitate the dissemination and communication of the District's strategic plan, goals, and objectives, and to recognize notable achievements by the District and its employees.

The meeting may be held offsite in Clark County and will include refreshments and a meal (e.g., breakfast, lunch, or dinner). The purpose of the meeting constitutes a legitimate business expenditure of public funds and is to be paid with District funds.

### **Employee Referral Program**

The District seeks to find exceptional professionals to join its team. In a competitive market, the recruitment of top talent is very challenging. The District believes that one of our best sources for well-qualified candidates is through referral by our existing employees. This employee referral incentive program was established to recognize our employees for assisting the District in finding new team members in an efficient and effective manner.

### **Guidelines**

1. All applicants referred through this program will be evaluated for employment in a fair and responsible manner consistent with District policies and procedures.
2. All information regarding the hiring decision will remain strictly confidential.
3. Employees should obtain permission from a potential applicant before making a referral.
4. Employees are welcome to share their knowledge of the District with the person, but shall not make any commitments or promises of employment.

5. If a candidate is referred by more than one employee, the incentive will go to the employee who submitted the referral first.

#### Eligibility

If the District hires a candidate who has been referred by an employee, the employee will be eligible for payment of a referral incentive if the following eligibility criteria are satisfied:

1. The referring employee must be:
  - a. In good standing with the District; and
  - b. Have successfully completed their Orientation Period.
2. The applicant must apply via the District's external recruitment process for a regular full-time or part-time position.
3. The position must be posted on the District website.
4. The referring employee and candidate must still be employed with the District at the time each incentive payment is due.

#### Exclusions

The referral incentive will not be paid:

1. For the referral of any relative of a District employee.
2. To the General Manager and Department Directors, or the senior manager in charge of a department that is not under the charge of a Director.
3. To Managers/Supervisors to whom an applicant will have a direct or indirect reporting relationship.
4. To any members of the interview panel.
5. For applicants who were previously employed by the District.
6. For Interns.

#### Incentive Value

1. Employees will be eligible for a referral incentive of \$2,000 for the successful referral of a full-time employee.
  - a. The incentive amount will be prorated for the successful referral of part-time employees (e.g., 75% for a three-quarter-time position, etc.).
2. The first 50% of the referral incentive will be paid on the first regularly scheduled pay date following the employee's successful completion of their first day of employment.
3. The final 50% of the referral incentive will be paid on the first regularly scheduled pay date following the applicant's successful completion of their Orientation Period and completion of their Orientation Period performance review.
4. Payments will be included in the normal payroll cycle and are subject to all applicable payroll taxes.

## Referral Process

1. The referring employee must submit a signed Employee Referral Form to Human Resources (HR) using the form provided.
2. The form should be submitted via email to [hrjobs@crwwd.com](mailto:hrjobs@crwwd.com).
  - a. The date and time stamp on the email submission will be the basis for determining the order of submission.
  - b. The District is not responsible for any undelivered emails.
3. HR will review the eligibility criteria and notify the referring employee via email of their eligibility.
4. The candidate's application will be reviewed upon its submission through the normal application and selection process.
5. If a referred candidate is selected for and accepts a District offer for a position, the referring employee will be notified via email by HR of the date the initial referral incentive is awarded, subject to the terms and conditions above.
6. Following the candidate's successful completion of the Orientation Period and Orientation Period review, the referring employee will be notified via email by HR of the date of award of the final referral incentive, subject to the terms and conditions above.

## **Committee Program**

The District seeks to engage with its employees to foster meaningful dialogue, build relationships between management and staff and enhance the employee experience and District work environment. Accordingly, the District has established an Employee Committee and a Safety Committee. To participate in a standing committee, members must be an Employee in Good Standing and nominated by their department manager. Participation in a committee is voluntary. Each committee will include a management team sponsor(s) and staff representatives to provide a group that is representative of the population served. Committees will meet regularly, generally on a monthly basis, as is feasible. Staff will be given time during their normal workday to attend the committee meetings and to fulfill any assigned duties outside of the regular meetings. The make-up of the committee, its functions, responsibilities, scope etc. shall be further defined in a committee charter, which shall be reviewed on a regular basis.

## **Performance Recognition Program**

### **Overview**

The District's Board of Commissioners and the management of the District appreciate the hard work and dedication of all District employees. The District's Performance Recognition Program described below (hereafter "Recognition Program") seeks to recognize and reward employees who demonstrate District values, which include high levels of professionalism and customer service, emphasis on safety in the workplace and focus on productivity through improving processes and managing costs.

The objectives of the Recognition Program are:

1. Support the District's Mission, Vision, and Values, emphasizing core tenets of customer focus, professionalism, and responsibility.
2. Recognize employee initiative and success in identifying and implementing new ways and ideas to increase efficiency and effectiveness, reduce costs, leverage existing resources, and create additional value for stakeholders.
3. Support and promote the District's culture as an organization that values learning and continuous improvement, enabling it to meet the evolving needs of its stakeholders more efficiently and effectively.
4. Communicate the achievements of employees who provide exemplary public service to the stakeholders, ratepayers, businesses, developers, neighbors, internal customers, and employees.

The fundamental values of the Recognition Program are:

1. Transparent - simple, well-defined and understood by all employees.
2. Fair - in process, approach, and outcome to all employees.
3. Open - anyone can submit a nomination, and all employees are eligible for reward and recognition.
4. Valued - by employees and stakeholders in keeping with the District culture.

### **Recognition – Years of Service**

The District will recognize and reward employees for increases in experience and technical and industry knowledge, and for their commitment to service at the District (tenure). The District recognizes that employee retention reduces recruitment and training costs, especially for experienced and highly skilled employees. The District will recognize the employee for years of service in a manner determined by the General Manager or designee, which may include, but is not limited to, the following:

1. On-going Service: Recognition for years of service in a manner determined by the General Manager or designee. The recognition may be, but is not limited to,
  - a. An anniversary celebration card and/or recognition at an employee meeting.
  - b. Every five (5) years, in addition to the annual recognition above, an award of eight (8) hours of paid time off for every five (5) years of service, with a maximum of forty (40) hours after twenty (20) years of service. The employee may take the time off or receive the cash value of the time off based upon their hourly pay rate at the time of the award. If the employee takes time off, it will be treated and managed as vacation leave. The time off must be taken or cashed out within one year of award.
2. Retirement
  - a. A celebration card and/or recognition at an employee meeting or special event.
  - b. Employees who retire from public service after five (5) years of service to the District, in addition to the recognition above, shall be eligible to receive

a performance award for their service and contributions to the District, at the discretion of the General Manager. The award will be provided in the form of a commemorative item, the value of which shall not exceed the cash value of a Gold award as established below. The employee's Director/Manager shall consider the employee's years of service and contributions to the organization, and make a recommendation to the General Manager for the issuance of an award.

### **Performance Award – Description**

Competent, resourceful, and empowered employees are a resource that allows the District to meet and exceed its stakeholders' needs. The Recognition Program allows the District to recognize and reward employees who go above and beyond expectations. To the extent applicable, Commissioners are also eligible for a performance award as provided for in this section.

### **Performance Award – General Process**

The District will either establish a Recognition Program Committee to administer the Program or assign the Program tasks and responsibilities to the Employee Committee (hereafter "Committee"). The Committee shall, at a minimum, consist of a member of each department and a representative of the Leadership Team. There is no limit to the number or type of awards an employee can receive in one year.

### **Performance Award – Nomination**

Employees and stakeholders may nominate in writing an employee or team for an award. The Committee shall develop a nomination and submittal process and related forms for such process. The Program shall consist of both a formal and an informal process, as follows:

Informal: Direct and/or immediate recognition at the 'Thank You' level by a department manager or supervisor, which does not require consideration by the Committee. Following issuance of an award, the department manager or supervisor shall complete a nomination form and forward it to the Committee.

Formal: An award administered by the Committee, which may consist of significant, special, and/or unique events that the Committee recommends to the General Manager and Board of Commissioners for implementation.

Each nomination shall provide sufficient information on the specific actions taken by the nominee(s), including the outcomes of the actions and how the nomination supports the program's goals and objectives explained above. When a nomination includes more than one employee, each employee shall receive an individual award at the level of recognition determined.

Team awards may be made at each level for the recognition of departmental initiatives (Business Services, Construction, Finance, Collections, Engineering, and Treatment), as appropriate. Team awards shall be shared by all employees in the department and shall be used for a District-sponsored team event or celebration. No time off will be given for team awards. The budget allocated for the departmental award shall not exceed the equivalent cash value of the award based on the level of recognition awarded.

All levels of the award shall include a certificate of appreciation from the District, signed by the General Manager, which generally describes the nature of the event, actions, or ideas deserving of the award.

### **Performance Award – Criteria**

In evaluating and determining the appropriate level of award for each nomination, the Committee shall use the following criteria and shall apply them consistent with the objectives and values of the Recognition Program:

Scope: The extent to which the event, actions, or idea benefits the District, employees, stakeholders, customers, or community; that is, who it impacts or helps.

Impact: The degree to which the District benefits from the event, action, or idea in terms of actual cost and time savings, increased safety, waste reduction, public awareness, etc.; that is, what was the result or outcome.

Visibility: The degree to which the event, action, or idea is or could be noticed or witnessed by the employees, customers, stakeholders, or community; that is, who sees it.

Innovation: The degree to which the event, action, or idea is new and or different from ongoing practices or conventional thought at the District, local, regional, or industry level.

Leadership: The level of involvement and direct impact of the employee's actions or ideas on the specific outcome, process, activity, or event.

Tenure: The length of involvement and impact of the employee (going above and beyond, overcoming resistance, level of support, being outside of job description and duties, time required beyond standard work hours, etc.).

### **Performance Award – Value**

The levels and amounts of awards are specified in Table 1 on the following page. The employee may elect to receive an individual award in cash or paid time off. The cash levels have been modified to reduce the tax burden on the employee and will be paid to the employee in a separate gift card, when appropriate, or otherwise as part of the normal payroll cycle.



**Table 1. Recognition Levels**

Level	Administered By	Title	Amount	
			Cash (Pre-tax \$)	Or Paid Time Off (Hours)
1	Leadership Team or Committee	Thank you	N/A	N/A
		Thank you plus	Gift card of \$10 or \$20 maximum	N/A
2	Committee	Bronze	\$60	2
		Silver	\$120	4
		Gold	\$240	8
3	General Manager and Board of Commissioners	Platinum	\$600 Or up to 5% of the first year's value to the District as determined by the Board	For Level 3 awards, up to 16 hours of leave may be granted along with the cash (at the Board's discretion)

The Recognition Program relies, to a great extent, upon employee nominations. Therefore, employees are encouraged to take notice of and nominate other employees for recognition and reward under the Recognition Program. To encourage nominations, the District will hold an annual random drawing of nominators to receive a Level 2 'Bronze Award'. Every employee who nominated an associate for reward and recognition during the previous calendar year, except for Leadership Team members, will be eligible for the drawing. Each employee nominator will have one entry per drawing.

### **Safety Awareness and Recognition Program (SARP)**

The District maintains a proactive focus on safety, promoting employee participation in safety and health programs and seeking to increase every employee's awareness of safety in the workplace. The District's SARP is a two-part approach for driving a strong safety culture: 1) awareness and 2) District-wide safety recognition events. District management has provided safety budgets for the awareness projects and for the benchmarked-defined District-wide safety recognition events that may take place every few years. The budget is based upon the business needs of the District, not only meeting WISHA and OSHA safety requirements but also supporting a strong safety culture—this supports employee health and reduces employee accidents and damage to District assets.

#### **Safety Awareness Projects**

The District's commitment and responsibility for promoting a personal and corporate culture of safety is outlined in The District's Safety Program Manual, in both the "Safety Responsibilities Program" and "Employee Safety Orientation and Accident Prevention Program." Ongoing programs and training will take place to increase awareness of safety in the workplace. The Safety Committee charter defines the committee's objectives and responsibilities to create visibility and to promote and celebrate safety successes with all employees.

Maintaining a strong safety culture where employees believe and act in a manner that supports “safety is my responsibility” requires consistent and ongoing reminders of both the District and employee’s commitment to this culture.

To engage and remind employees of that commitment, highly visible awareness projects will engage employees in better understanding the importance of utilizing the safety program policies and procedures, as well as clearly understanding that management supports and values safety.

The Safety Committee, on an annual basis, will determine how to support safety awareness through a project(s) that may include a presentation and a safety-related item provided to each employee, which will support employee safety awareness. The annual budget will be allocated to this annual event.

## **Safety Recognition Events**

### **District-Wide**

The Safety Committee monitors safety performance indicators for the District in the context of recordable and lost time events. These two safety indicators recognize the number of hours since the District has experienced a Labor and Industries-defined event that is documented on the OSHA 300 form. Both key performance indicators are presented regularly to staff as evidence of the District’s progress. Each year, the committee will review the safety program and culture. If the committee determines that the District is eligible for recognition, the committee will forward a recommendation to the Management Team to recognize the accomplishment with a District-sponsored event.

Eligibility Criteria:

- 360,000 hours without a controllable lost time event
- Positive safety culture
- Documented review of any recordable events

### **Individual Safety Recognition**

Timely recognition of employees who demonstrate safe behaviors or identify opportunities to change processes that can reduce the potential for unsafe outcomes is important to the District. Individual rewards and recognitions will be made through the District’s Reward and Recognition Program under its current budget and authority.

## **Program Responsibility**

The Safety Committee is responsible for monitoring performance indicators and safety culture. It is also responsible for determining eligibility and appropriate awareness and recognition. The committee shall recommend the projects and events, timing, and activities in support of the projects, and how to appropriately link the projects and recognitions to the continued building of a strong safety culture.

## **Public Outreach and Participation Program**

The District shall regularly engage, support, and participate in community events that foster good relations with, promote education of, and provide support to its customers and the public.

### Guidelines

The General Manager or designee shall determine the sanctioned events the District will participate in, considering the following:

- Service area – the events should generally be located within the District's service area or the jurisdiction of a partner agency
- Customers – the events should include District customers
- Mission – the events should align with the District's Mission, Vision, and Values

### Participation

All staff are eligible to participate in District-sanctioned events. Events should be reasonably staffed, as determined by the General Manager or designee, as necessary to conduct a successful event, and employee participation should not be excessive. Participation in events is considered time worked, including time spent at events outside of the employee's regularly scheduled shift. Participation is voluntary; however, the District may require employee participation as needed to fulfill its responsibilities and duties under this program. Employees seeking to participate during their regularly scheduled shift shall contact their supervisor for approval.

## **SECTION 5**

### **DISTRICT STANDARDS OF CONDUCT AND CORRECTIVE ACTION**

## Attendance

### Introduction

The District's intent is to promote efficient and effective operations. Dependability and Punctuality in attendance are essential to that effort and for the professional delivery of services. These behaviors also help the employee to establish a good working reputation and are an important element of individual job performance. They are a critical factor impacting departmental and District-wide performance, and they contribute to positive co-worker morale. In addition, for the District to operate effectively, the District must be kept informed of an employee's status when they are off work due to illness or incident from any cause.

The District seeks to minimize attendance-related issues. Attendance standards and expectations are discussed below, along with a framework for appropriately evaluating and responding to attendance-related issues.

### Definitions

**Occurrence:** An absence or lateness (regardless of its duration without the required prior notice will be considered an occurrence (except as otherwise provided by state or federal law).

**Prior Approval:** In order for the leave to be "approved," the employee must provide advance notice and obtain prior approval from their manager in accordance with the Advance Notification provision below.

**Unapproved Absence:** The employee does not report to work or leaves work early, before the end of their scheduled shift, without prior approval (excluding use of paid sick leave or leave covered under state or federal law).

#### **Excessive Unapproved Absenteeism:**

- Two or more occurrences in a month or
- Twelve occurrences in a twelve-month period

**Unapproved Lateness:** The employee is late to work, not in place and working at the time defined as the beginning of their designated shift or the time defined for their return to work from a designated break period without prior approval (excluding use of paid sick leave or leave covered under state or federal law).

#### **Excessive Unapproved Lateness:**

- Two or more occurrences in a month or
- Twelve occurrences in a twelve-month period

### Attendance Standards

**Exempt:** Exempt employees are expected to report to work for their scheduled shift on a regular and consistent basis and work a "professional schedule." However, it should be noted that the flexibility associated with a professional schedule also means that if the needs of the position require that they arrive early or stay late, they are not compensated with overtime pay.

**Non-Exempt:** All District personnel have been assigned a work schedule based on the business needs of their work group and department. Employees are expected to arrive for work on time such that they are ready to start work at the beginning of their scheduled shift. Employees shall return to work on time from designated break periods. They are also expected to complete their shift as scheduled.

### **Advance Notification**

For all “planned” or “foreseeable” absences (including those covered by paid sick leave, such as planned medical procedure or treatment), an employee should provide at least forty-eight (48) hours notice unless otherwise established by a department manager. If an absence covered by paid sick leave becomes foreseeable in less than 48 hours, the employee should provide notice as soon as the need for the absence becomes known.

If an employee is unable to report for work, will arrive late, or must leave early due to any unforeseeable reason, the employee, or individual designated by the employee, must provide at least one hour advance notice, when possible, to their immediate supervisor or, in the supervisor’s absence, the department manager. If, in cases where the absence is covered by paid sick leave, such notice is not possible under the circumstances, an employee should provide notice as soon as reasonably practicable.

Compliance with these advance notification requirements does not necessarily excuse the leave, which nonetheless may be considered an occurrence of an unapproved absence or lateness for absences not covered by paid sick leave.

If an employee does not report as scheduled and if the employee has not spoken to their supervisor or manager in advance to explain the absence or lateness, corrective action may result. Employees who are not on approved or protected leave of absence must call and notify their supervisor each day prior to the start of their scheduled shift to report their absence. During periods of approved or protected leave, the employees must call in accordance with District call-in policies.

### **Absence Without Notice – No Call, No Show**

If an employee fails to provide notification after three days of consecutive unapproved absence, this constitutes a “no call, no show.” In such cases, the District may presume the employee has resigned their position, and the employee may be separated from employment with the District.

If an employee is having difficulties meeting the requirements of the employee’s schedule, the employee shall contact their supervisor. Excessive unapproved lateness and/or absenteeism may result in corrective action up to and including separation of employment.

### **Verification Regarding Medical Absences**

The District reserves the right to require a physician’s release to return to work when an employee returns to work following a lengthy absence due to the employee’s medical condition.

Additionally, for absences of more than three (3) consecutive days due to the employee’s or the employee’s immediate family member’s medical condition, the District may require the employee to provide verification of the medical condition from a qualified healthcare provider, consistent with the District’s sick leave policy above. Failure to provide the

required verification may result in loss of leave benefits for that work period and may result in further corrective action.

### **Absenteeism and Lateness**

Attendance issues and concerns arise out of individual situations and circumstances that will have different impacts on the employee, the employee's workgroup, and the District. The District reserves the right to evaluate individual situations and take into consideration individual circumstances in determining the appropriate response to unapproved absenteeism and lateness.

Factors a supervisor may take into consideration in evaluating performance in this area include:

- Not using a benefit for its intended purpose
- Frequent unapproved lateness or absence
- Unapproved lateness or absences that disrupt the flow of work, burden co-workers, lower morale, or affect the quality of work and/or services provided by the District
- A pattern or trend of unapproved lateness or absence coinciding with holidays, weekends, or scheduled time off
- A pattern or trend of not following and adhering to current policies and procedures in communicating and tracking absences

### **Excessive Unapproved Absenteeism or Lateness**

The District seeks to apply a uniform professional approach in addressing excessive unapproved absenteeism and lateness. Frequent unapproved absence or lateness, as defined below, will be considered "excessive." Non-compliance with these standards will initiate a communication and/or a corrective action process.

The supervisor or department manager will review the employee's attendance and performance and discuss the concern with the employee. With support from Human Resources, the District will determine whether leave is covered under federal or state law (e.g., FMLA). The supervisor will consider individual circumstances and factors involved to determine the appropriate course of corrective action. Supervisors will generally apply progressive corrective action for excessive unapproved absenteeism or lateness under the corrective action guidelines in this handbook.

## **Inclement Weather Attendance**

### **Status Determination**

The General Manager, or written designee, shall be responsible for determining if and when the District will be operating under inclement weather status. Once the determination has been made, the General Manager, or written designee, shall notify staff that the District is operating under inclement weather conditions and of the specific operational status as discussed below.

Under inclement weather conditions, attendance requirements and responsibilities differ for employees who are defined as "essential personnel" and those who are considered

“non-essential personnel”. Specific operations and maintenance staff are defined as essential personnel within the official position descriptions and are required to report during inclement weather events. Unless specifically identified in the position description, all other personnel are considered non-essential personnel. The General Manager, or written designee, may require non-essential employees to work during any office closure, work different shifts or perform job duties outside the scope of the employee’s normal job duties until such time as the inclement weather situation has ended.

## **Notification System**

The District has an Inclement Weather Notification System and Procedure (Procedure #001-2005). The notification system is the official method used to communicate with staff in the event that inclement weather may impact the normal operations of the District.

To verify whether the office is open for normal business, closed, or opening late, each employee shall check the District website and their District email by 6:30 AM. A status message will be placed on the website and sent via email advising of the operations of the District. If the office is to be closed or open late for normal business due to inclement weather, a special message will be provided to that effect. The District may elect to use other means to communicate with the public during inclement weather. Staff are expected to use the inclement weather notification system.

## **Office is Open for Normal Business**

As a public agency, the District must be prepared to serve the customers of the District as scheduled, regardless of weather conditions (including snow, black ice, ice storms, excessive heat, poor air quality and related adverse elements). All employees should be prepared with suitable transportation during inclement weather, as your attendance is usually required to maintain service to our customers. It is the employee’s responsibility to provide the solution to personal circumstances (distance to drive, equipment for vehicle, school closure issues, etc.) in order to be at work as scheduled.

On the first day of inclement weather, which severely restricts vehicular traffic, supervisors may grant up to a one-hour “grace” period for those employees who arrive at work late. On subsequent days, employees are expected to make whatever arrangements are needed to be at their workstations as scheduled.

In the event that, due to unique conditions at your home location, you are unable to come to work safely, contact your supervisor no later than one hour before your regularly scheduled start time.

## **Office is Opening Late for Normal Business**

If the General Manager or their written designee determines that the office will be opening late for normal business on that workday due to inclement weather, then non-essential personnel are expected to arrive and be ready to start work at the time the office is scheduled to open. Essential personnel are expected to arrive for work on time and be ready to start their regular scheduled shift promptly. In the event that, due to unique conditions at your home location, you are unable to come to work safely, contact your supervisor no later than one hour before your regularly scheduled start time.



### **Office is Closed for Normal Business**

If the General Manager or written designee determines that the office will be closed for normal business that workday, then essential personnel still need to report for their regular scheduled shift and non-essential personnel are excused.

### **Office is Closed Early**

If the General Manager or written designee makes the determination to close the office prior to the normal closing period, on duty, non-essential personnel are excused unless otherwise directed by the General Manager or written designee. All non-essential personnel who are not excused will be required to work the remainder of their scheduled shift. Essential personnel are required to remain and work the remainder of their regularly scheduled shift unless otherwise directed by the General Manager or written designee.

### **Inclement Weather Compensation**

In the event of inclement weather, staff will be compensated for actual time worked in accordance with standard District payroll policies and procedures as further described herein. All employees who work during any official office closure shall be paid at their regular rate of pay. Essential personnel required to respond during emergency situations (e.g., major fire, sewer main break and/or natural disaster) are eligible for meals in accordance with the Reimbursable Business Expense and Travel Advance Policy, Section F.

Any work time missed under the following scenarios: Office is Open for Normal Business, Office is Opening Late for Normal Business or Office is Closed due to inclement weather, will be charged to your accrued but unused vacation leave, comp time or floating holiday. If you have exhausted your vacation, comp, or floating holiday leave, then you will need to use leave without pay. You may also be able to utilize flex time with your supervisor's approval.

If the office is closed early, on-duty personnel who are excused for a portion of their regular scheduled shift will be paid for the remainder of their scheduled shift at their regular rate of pay, and paid leave need not be charged.

## **District Emergency Notification System**

The District has an Emergency Notification System procedure. In the event of a District emergency where the District invokes an emergency command center, District employees are expected to follow the District Emergency Notification Procedure (Procedure #004-2005 - District Emergency Notification System).

To verify whether the office is open for normal business, each employee should call (360) 993-8850 and enter extension 809. You will be directed to a recording advising of the operations of the District.

## **On-Call Program**

### **On-Call Assignments**

Qualified non-exempt employees are assigned to on-call duty, both primary and backup, as necessary to provide continuous monitoring of the collection and treatment systems

and to respond to emergency situations or service requests. The director/manager or designee shall establish the on-call schedule and assignments in advance. The schedule shall be made available to staff.

### **Reassignment (Call-back)**

In the unforeseen event that an employee is not able to fulfill their on-call assignment due to events beyond their control, the director/manager shall reassign qualified personnel to perform the on-call assignment (primary& backup). In so doing, the reassignment shall be based first on the employee's Longevity and second on the classification level of the employee's position (e.g., 1, 2, 3). Of the eligible employees, the employee with the lowest Longevity and lowest level position (e.g., 1, 2, 3) will be reassigned to be on-call. Upon completing an on-call reassignment, the subject employee will not be eligible to be reassigned to on-call duty in the same calendar year until all other qualified non-exempt employees, regardless of their Longevity, have also completed a reassignment. If no qualified non-exempt employees are available for reassignment due to unplanned or unforeseen issues beyond the employee's control, it shall be the supervisor's responsibility to be on call.

### **On-Call Personnel**

For the duration of the on-call assignment (e.g., one week), employees are required to remain accessible and available and must comply with the District's alcohol and drugs policy (see p. 5-6). On-call Personnel must promptly answer the phone, respond to alarms and notifications, and return to work within fifty (50) minutes when called.

## **Alcohol and Drugs**

The District is committed to protecting the safety, health and well-being of its employees, the public it serves and all people who come into contact with the District and the services it provides. Drug and alcohol abuse pose a direct and significant threat to providing a productive, safe, and efficient work environment in which all employees have an opportunity to reach their full potential. Accordingly, the District is committed to assuring a drug-free work environment for all its employees.

The District, therefore, strictly prohibits the use, purchase, possession, sale, conveyance, distribution, or manufacture of illegal (whether under federal, state and/or local law) drugs, intoxicants, controlled substances, and/or drug paraphernalia associated with illegal drug use while on the job, while on District property, while operating District vehicles or while otherwise representing the District. The District further prohibits employees from being under the influence of alcohol (defined as having an alcohol concentration level of 0.04 or greater) or controlled substances (any detectable trace in the body system) while on duty. This policy applies to all District employees.

Prescription medications or nonprescription medications are not prohibited when taken in accordance with a lawful prescription, as applicable, and consistent with standard dosage recommendations. Prescription medication means a drug or medication lawfully prescribed under both federal and state law by a physician or other health care provider licensed to prescribe medication for an individual and taken in accordance with the prescription but specifically excludes, without limitation, medical marijuana, which remains a controlled substance prohibited by federal law. Employees who are taking a

prescription or over-the-counter medication that may impair their ability to perform their duties safely and effectively must notify their supervisor and provide written notice from their physician or healthcare provider regarding the effects of such medication. The District may, at its discretion, send an employee home if the employee appears impaired by the use of prescription and/or over-the-counter medications, and such impairment impacts the employee's ability to safely and/or effectively perform his or her duties.

District employees assigned on-call duties are expected to respond immediately to a District on-call phone call request and perform District business. Assigned on-call personnel may not report for duty and conduct District business when their performance may be impaired due to alcohol or drug use. Accordingly, assigned on-call personnel must refrain from using alcohol or drugs while on-call.

All District employees shall be subject to pre-employment, reasonable suspicion, post-accident, return to duty, and follow-up drug and alcohol testing, as follows:

Pre-employment Testing: The District will conduct post-offer, pre-employment drug and alcohol testing for all controlled substances under federal, state, and local laws for all Safety Sensitive positions for which impairment while working presents a substantial risk of death or injury, and for positions requiring a commercial driver's license (CDL). Initial employment is conditioned upon that person satisfactorily passing such a test.

Reasonable Suspicion: Employees may be subject to drug and alcohol testing when the District has reason to suspect that an employee has violated or is presently violating, or is otherwise under the influence of, or impaired by the use of, alcohol or drugs. If an employee appears to be under the influence of drugs or alcohol, the District may require the employee to submit to appropriate tests, including breath tests, to confirm the impairment from such alcohol or prohibited drug substances. Failure to promptly permit such tests upon management's request shall be grounds for corrective action, up to and including separation of employment.

Post-Accident testing: Following an accident involving a District vehicle or District equipment, the driver/operator of such vehicle or equipment is required to submit to an alcohol and drug test when (1) the driver receives a citation under state or local law for a moving traffic infraction; (2) an injury or fatality occurs as a result of the accident; (3) the accident results in damage to one or more vehicles or equipment which requires the removal of the vehicle/equipment by towing or otherwise is estimated to exceed \$1,000; or (4) management deems it appropriate under the particular circumstances. Testing shall occur as soon as possible and must occur within eight (8) hours after the accident for alcohol testing and 32 hours after the accident for drug testing. An employee required to take a post-accident alcohol test may not use alcohol for eight (8) hours following the accident or drugs for thirty-two (32) hours following the accident or until a post-accident test is given, whichever comes first. An employee who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with testing or results of testing. Failure to comply with post-accident testing requirements will be grounds for corrective action up to and including separation of employment.

Return to duty testing: Employees who have not complied with this policy, including those who have tested positive on a drug or alcohol test and who, under the District's disciplinary policy, are allowed to return to work, must test negative prior to being released for duty.

Follow-up testing: An employee who is referred for assistance that is related to alcohol misuse and/or use of drugs is subject to unannounced follow-up testing for a period not to exceed 60 months as directed by a substance abuse professional and the District. The number, type and frequency of follow-up testing will be determined by the substance abuse professional and the District, but will not be less than six tests in the first 12 months following the employee's return to duty.

Employees who are directed to submit to a drug and/or alcohol test must promptly report to the testing agency. Under most circumstances, this will mean that the employee must report for testing no later than one hour after receiving notice of the testing. In reporting for testing, the employee must report to the nearest testing facility and may not make any detours or stops en route to the testing facility. The District retains a qualified third-party administrator as its service agent to provide and coordinate the drug and alcohol testing services referenced in this policy. Employees are expected to cooperate with the administrator and comply with directives issued by the administrator in administering and coordinating the tests required under this policy.

A refusal to take a drug and/or alcohol test as required by the District, an undue delay in reporting for testing as instructed by the District and/or utilizing any means designed to "cheat" the test, adulterate or substitute the sample or otherwise render a false negative report shall be deemed the equivalent of a positive result and an employee engaging or assisting in such measures shall be subject to corrective action, up to and including separation of employment.

Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the medical review officer responsible for receiving and interpreting the drug test.

Employees violating this policy will be subject to disciplinary action, up to and including separation of employment. At a minimum, employees who test positive for alcohol or drugs shall be immediately removed from Safety Sensitive positions and may be suspended without pay pending further evaluation and recommendation from a substance abuse professional (SAP).

Employees who are found not to be in compliance with this policy but who are allowed to return to work under the District's disciplinary process shall be required to first submit to an Employee Assistance Program (EAP) evaluation and shall receive a one-time opportunity to enter a treatment program if so recommended by an SAP. Upon return to work, the employee will be required to accept and comply with the terms of a "last chance agreement" and will be subject to the follow-up testing requirements set forth above.

The District considers drug addiction and alcoholism to be treatable diseases. Employees are encouraged to seek treatment voluntarily and to utilize the District-provided EAP before an alcohol or drug abuse problem affects their job performance or employment status and before they are asked to submit to a drug and/or alcohol test. All alcohol or drug inpatient treatment programs paid through the District's health care plan should be accessed through the EAP. The District will accommodate employees who voluntarily seek treatment for a drug or alcohol addiction before they are requested to submit to a drug and/or alcohol test and/or are otherwise the subject of an investigation and/or disciplinary action for potential non-compliance with this or any other policy or other performance issue(s). Assistance will be provided on a confidential basis. Employees

are encouraged to “self-report,” and their job status with the District will not be jeopardized as a result of such report, provided that the report is made prior to the District requesting a drug and/or alcohol test from the employee or otherwise initiating an investigation and/or disciplinary action into suspected policy non-compliance or related performance issues. Any employee who self-reports under these guidelines will be given a sufficient opportunity to seek evaluation, education, and/or treatment to establish control over the employee’s substance abuse problem. However, self-reporting employees will not be permitted to perform safety-sensitive functions until the District is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements recommended by an SAP or other drug and alcohol abuse evaluation expert. Prior to allowing an employee to return to safety-sensitive functions, the District shall require a return-to-duty test.

Employees with Commercial Driver’s Licenses: In addition to the policy set forth above, those employees who are required to have and maintain a commercial driver’s license (CDL) in order to perform their duties are further subject to the drug and alcohol testing requirements and regulations established by the United States Department of Transportation (USDOT) and its designated agencies. District employees holding a CDL will be subject to the District’s policy and the USDOT policy set forth in the District’s Safety Program Manual under “Substance Abuse Policy for Employees Required to Possess a Commercial Driver’s License.” To the extent that the USDOT policy outlined in the Safety Program Manual conflicts with the general policy stated above, the USDOT policy shall prevail for employees holding a CDL or otherwise occupying a safety-sensitive position.

Additionally, the District is registered with the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse and shall comply with the Controlled Substances and Alcohol Use and Testing regulations set forth in 49 CFR Part 382. As part of these requirements, the District shall automatically report to the Clearinghouse any of the following events or occurrences:

- A verified positive, adulterated or substituted drug test result
- An alcohol confirmation test with a concentration of 0.04 or higher
- An employee’s refusal to submit to a drug or alcohol test
- The District’s actual knowledge (as defined by 49 CFR § 382.107) of an employee’s:
  - An employee’s pre-duty, on-duty or post-accident use of alcohol as prohibited by 49 CFR §§ 382.207, .205 and .209.
  - An employee’s controlled substance use as prohibited by 49 CRFR § 382.213.
  - Verification from SAP that an employee has successfully completed the return-to-duty process
  - The employee’s negative return-to-duty test and
  - The District’s report of completion of any required follow-up testing

All employees are expected to read, understand, and comply with the contents of this policy. Any questions regarding the policy should be directed to the General Manager.

*\*\*\*Employees are specifically notified that the passage of Initiative 502, which amends Washington state law effective December 6, 2012, to decriminalize the possession and private use of a limited amount of marijuana by persons over the age of 21, shall have no effect or impact upon this policy. Pursuant to the Controlled Substances Act of 1970, 21 U.S.C. § 801 et seq., “marijuana” remains a “Schedule I” controlled substance, and its possession and/or use is illegal under federal law. Employees should recognize and understand that the “legalization” of marijuana under state law (for both medical and recreational purposes) will not excuse or otherwise constitute a “defense” to a positive drug test administered by the District in accordance with this policy. Any positive test for marijuana shall constitute non-compliance with this policy and shall be grounds for corrective action up to and including separation of employment.*

*\*\*\*\*Employees are further notified that the passage of ESSB-5123, which amends Washington state law effective January 1, 2024, relating to the employment of individuals who lawfully consume cannabis, does not restrict the rights and obligations of the District to be a drug-free workplace or to comply with federal law or regulation, does not preempt state or federal laws that require applicants to be tested for controlled substances, or does not apply to applicants in certain occupations, including Safety Sensitive positions and positions requiring a CDL.*

## **Smoking**

For reasons of health, safety, wellness, public relations, and other concerns, the District maintains a smoke-free and tobacco-free environment. Utilizing tobacco products of any kind or in any form, including chewing tobacco, e-cigarettes, and vaping, is prohibited in all District buildings. Smoking is also prohibited in all District vehicles.

## **Dress and Personal Appearance**

It is essential for the District to present a professional image at all times to anyone who interacts with the District. One of the most tangible ways of demonstrating this commitment to professionalism is in the form of dress and personal appearance maintained by District employees.

The purpose of the dress code is to ensure that all stakeholders we come into contact with see that we respect our role and take our work seriously. This means that ornaments, clothing, or personal adornments that may be distracting or offensive to customers may be banned if they become an issue. Employees are expected to be neat and clean and maintain an appropriate, business-like appearance at all times, as determined by the requirements of the work area. Dress and appearance should not be distracting or offensive to customers or other employees. Supervisors will require that employees adhere closely to the District's Dress and Personal Appearance standards. A professional appearance is appropriate at all times in the office. Appropriate business attire is clean, neat, and pressed, including khaki pants, slacks, dresses, skirts, dress pants, polo shirts, buttoned shirts, sweaters, and blouses.

- **Examples of non-acceptable attire.** Faded and/or tattered jeans and shirts or clothing displaying advertising or messaging, inappropriate and non-professional logos, and/or slogans. Overalls, sweatshirts/pants, jogging suits, athletic or running shoes, shorts, or tank tops are inappropriate. Any clothing with spaghetti straps; any clothing that reveals bare backs, midriffs, or any revealing, provocative clothing. Sleeveless garments that are not clearly business-like or garments that reveal undergarments either directly or indirectly through tightness or transparency. “Flip-flops” or slides are not acceptable footwear. Open-toed shoes should offer solid stability for the work performed and be as business-like as other attire.
- **Casual Friday.** Jeans and a slightly casual appearance are permitted on Fridays, as long as job duties do not require more formal attire. The requirement is always neat, clean and in good repair and business-like.
- **Uniforms.** Some employees are provided uniforms for the purpose of making them easily identifiable to the public. All employees represent the District, and their appearance is important. Where uniforms are provided, employees are required to **always** wear the uniform when working.
- **Hair.** Hair should be clean, combed and neatly trimmed or arranged. This also pertains to sideburns, mustaches, and beards. The District utilizes breathing apparatus as part of its normal operation, which results in restrictions on facial hair for those required to use the apparatus. This restriction would be based on requirements imposed by state and federal guidelines for the proper and safe use of such equipment.
- **Personal Hygiene.** Good personal hygiene habits must be maintained.

### **District Uniform Policy**

Employees who have been provided uniforms by the District are required to be in uniform every workday, including after-hours, holiday, and weekend callouts. This includes the complete pants and shirt provided through the rental company, or the rental pants and the District logo T-shirts. This also includes proper footwear provided by the District. There are no exceptions.

### **District Clothing**

The District shall provide a (1) article of District logo clothing for all employees on an annual basis. Human Resources will recommend a maximum dollar amount (after discounts and before sales tax) each year in the form of a memo provided to the General Manager for approval. The amount shall not exceed the cost of a suitable article of workwear/outerwear. The use of District logo clothing provides for and supports the culture of the organization as a highly professional, customer service-oriented organization. District logo clothing may be worn at work, when in compliance with the District’s dress code guidelines, and outside of work where the employee is promoting community awareness of the District.

## **Charitable Activities and Solicitation**

The District encourages and supports employee participation in charitable organizations of their choice. However, care must be taken in utilizing District facilities and resources for the benefit of specific organizations. The District recognizes and supports employee activities in community-based organizations.

Small-scale efforts initiated by employees, such as selling raffle tickets or candy for a child's school or youth group, are authorized only during non-work hours, i.e., lunch periods and breaks, and must not be disruptive to the work environment. Caution should be exercised to ensure that other employees are not made to feel obligated to participate.

Soliciting by one employee of another, or collecting from one employee by another, is prohibited while either employee is on work time. Distributing literature and circulating petitions during work time or in work areas at any time is also prohibited. Trespassing, soliciting, or distributing literature by anyone not associated with the District is prohibited on District premises.

All activities for charitable purposes must be approved by the District. Contact your supervisor or Human Resources for specific details.

## **Children in the Workplace**

The District supports the national "Bring Your Child to Work Day" event for school-age children, which is the fourth Thursday in April each year. At the same time, the District seeks to maintain a professional business environment to support productivity and ensure that customers and stakeholders doing business at the office are not negatively impacted by other activities. Participation by an employee in the event must be cleared with the employee's direct manager or supervisor in advance. In considering whether to approve the employee's participation, managers and supervisors should consider safety, confidentiality and any special events taking place on that day in that department. Participating employees are responsible for the child (or children) and will accompany the child (or children) in the workplace. School-age children are allowed to participate during the regularly scheduled workday of the employee.

The District, as a general rule, does not permit children in the workplace in lieu of childcare arrangements. Visits from the children, friends, or family members of employees should be avoided during working hours; however, such persons may visit employees occasionally for brief periods, and such persons may attend employee potlucks conducted during non-work hours.

## **Pets in the Workplace**

The Washington State Law against discrimination allows persons with a disability who use a trained guide dog or service animal to bring that animal into the workplace. As a general rule, the District does not permit the presence of non-service animals in the District office. The presence of a non-service animal in the workplace for a brief visit is allowed. Employees are responsible for their pets and must accompany them when they are in the workplace.



## **Communications**

### **District Office Telephone and Wireless Communication Device Use - General**

District telephones and District-issued mobile communication devices, including but not limited to cellular phones, tablets, and laptops (hereafter collectively called District Communication Devices or “DCD”), are to be used for District business in serving the interests of our customers and in the course of normal District operations.

An employee with a business need, as determined by the District, will be provided a DCD. The DCD is to be used for District business use only and is to be used by District personnel in carrying out their official job duties and functions. Improper use of a DCD while driving District vehicles or operating District equipment is an infraction of this policy and may result in corrective action up to and including separation of employment. Essential personnel will take their DCD home after hours so they can be contacted in the event of an emergency.

Any loss of a DCD shall be immediately reported so that the device can be reported lost or stolen to the District’s wireless provider. All DCD conducting District business shall be password-protected. As with other District computers, no applications shall be installed on DCD without proper authorization.

All DCDs, and any files, communications, and data created or stored on a DCD, are District Property and are for District business. Employees should understand that they have no expectation of privacy with respect to their DCD usage and that the District may review and inspect all files, data, and activities stored, transmitted, sent, or recorded on the DCD at any time, in the District’s sole discretion. The District IT Services Manager must be provided the password for any DCD or file therein that is password-protected.

### **Personal Cellular Devices/Texting/Email Use**

The District is aware that employees utilize their personal cellular devices for personal phone calls, emails, and texting functions. At the same time, cellular devices can be a distraction in the workplace. To ensure the effectiveness of the District workforce, use of personal mobile devices should be limited to rest periods and lunch periods. Personal cellular devices are not to be used for conducting District business. If employees use their personal cellular devices for District business, it will be limited to urgent and/or emergent situations when it is necessary to contact another employee or supervisor or manager, and the calls shall be transactional in nature. The employee(s) will redirect the call to their District phone as soon as possible. Any records generated thereby on a personal device qualify as “public records” and are subject to disclosure under the Public Records Act, Chapter 42.56 RCW, and should be promptly transferred to and stored within the District’s system. An employee who uses their personal device for District business will be required to search their personal device (e.g., their files and accounts) and produce any public records to the District. The District will require the employee to sign an affidavit describing the nature and extent of their search for and production of public records located on their personal device (or non-District account) and include a description of personal records not provided to the District, with sufficient facts to show that the records are not public records.

Any mobile device use while driving District vehicles or operating District equipment is an unsafe practice. It is strictly prohibited by the District and may result in corrective action up to and including separation of employment.

### **Email Use**

The District encourages employees to utilize the District's email system as a method of increasing employee productivity, thereby improving overall capabilities of the District to serve its customers.

The contents of the District email system are public records that are subject to inspection, copying, retention and archiving by the District in accordance with the law. All employees are required to ensure compliance with these laws in their use of the email system.

Because the District owns its electronic computing system and all the records that are transmitted and maintained on it, all email files are official District business records and are not the private property of employees. Employees have no expectation of privacy or a right of privacy in email communications transmitted or received through the District's electronic computing system or otherwise maintained on the District's equipment and/or hardware and software programs. All emails, whether considered "personal" by the employee, are subject to review and disclosure by supervisory or other District personnel at any time and without prior notice to ensure compliance with State law and this policy. Emails may be disclosable to the public and are subject to discovery proceedings in legal actions. Consequently, the District's email system is not the appropriate forum for any discussion of confidential or personal issues.

Employees are accountable for their use of email just as they are for other conduct and communications at the workplace. The District will view the propriety or impropriety of any communication on the basis of how it would have been perceived and dealt with had it been conducted in person, by phone or by "paper" communication.

The email system shall not be used for the creation or distribution of any harassing, disruptive or offensive messages, including offensive or harassing comments about protected characteristics such as race, gender or gender reassignment, physical appearance, disability, age, pregnancy and maternity, marriage or civil partnership or sexual orientation, pornography, religious beliefs and practice, political beliefs, and national origin. Employees who receive any emails with this content from any employee should report the matter to their supervisor or Human Resources immediately.

### **Social Media Use**

Social media use has the potential to constitute a public record, as defined above. Therefore, employees may not engage in personal social media activities on District computers or equipment, through the District's electronic computing systems, or through District social media accounts. Employees may not engage in personal social media activities while on District time outside of rest periods and lunch periods. Employees may not use the District's logo, trademarks, or graphics in connection with their social media usage.

Employees who use social media must refrain from making any comments or statements about employees, representatives or customers of the District that would violate the District's policies. Employees may not defame or libel the services of the District.

District employees who have access to confidential information about the District's operations, customers and coworkers may not use or disclose this confidential information in connection with their social media usage.

Any public communication by an employee that includes information related to the District must make clear to the audience that the views expressed by the employee are the employee's alone and that they do not reflect the views of the District. For example, "The views expressed in this [blog, posting or article] are my own and have not been reviewed or approved by the District."

Employees who have questions about whether social media use is consistent with this policy are encouraged to speak with their supervisor or Human Resources before engaging in such usage.

A non-observance of this policy may be grounds for corrective action, up to and including separation of employment.

This policy does not prohibit employees from lawfully discussing the terms and conditions of their employment or from engaging in any other activity protected by law.

### **Internet Use**

Access to the Internet via District resources is intended to facilitate the effective and efficient use of District employees' time and effort. To that end, this use cannot disrupt or interfere with the work of the employee, other network users, or coworkers, adversely affect the operation of the Internet or the District's own internal network, or misrepresent the interests of the District. Employees should limit their personal use of the Internet to their rest periods and breaks and may not engage in any Internet usage that interferes with the performance of their duties.

All use of the Internet via District resources must comply with applicable laws and District policies, such as non-discrimination/non-harassment. Internet access via District resources, therefore, must not be used for illegal or improper purposes.

The safety and security of the District's network and resources must be considered when using the Internet. Departments should provide employees with appropriate safety guidelines and software for their operations.

Individual users are responsible for adhering to applicable department policies when downloading resources from the Internet.

Individual users must be aware of and attempt to prevent potential District liability in their use of the Internet. For that reason, all outgoing messages that do not reflect the official position of the District or Department must include the following disclaimer: "The opinions expressed here are my own and do not represent those of the Clark Regional Wastewater District."

Resources that involve executable or binary files must not be downloaded without being properly scanned for viruses. Resources that are not used for a clear District purpose must not be accessed or downloaded. Resources of any kind for which there is a fee must not be accessed or downloaded without prior approval of a supervisor.

District employees have no right to expect that Internet access and usage is private. The District has the right to monitor and record all accesses to and usage of any website or

newsgroup from any District computer or system at any time and does so without notice. The District may use this information and take appropriate corrective action, up to and including separation of employment or other legal proceedings. Records on the District's Internet system and/or equipment are public records. As such, they are subject to the same rules for public inspection and retention as all other District public records.

Use of the Internet by employees of the District shall support education and research that is consistent with the mission of the District. Use will be in accordance with the District's policy on standards of conduct, including the following:

1. Maintain the integrity of files and data. Do not modify or copy files/data of other users without their consent.
2. Treat information created by others as the private property of the creator. Respect copyrights.
3. Use the network in a way that does not disrupt its use by others.
4. Do not use the Internet to access or process pornographic or otherwise inappropriate material.
5. Do not use the Internet for commercial purposes.

If it is determined that an authorized user is engaged in unauthorized activity or is violating this code of conduct, the District reserves the right to discontinue the user's privilege of using the Internet and take appropriate corrective action.

### **Software and Equipment Use**

Any record, file, or document under any format (file) that resides on a District system or on a District computer is the Property of the District and is subject to review by District staff at any time, regardless of the nature of the file or where the file was created. Employees have no expectation of privacy or right of privacy in any personal record, file or document that resides on the District network system or on any District equipment used by employees. The District IT Services Manager must be provided the password for any files that are password-protected on the District network system.

The following describes the District's policy on employee use of District Software and Equipment as further defined in the IT Policy and Procedure Manual:

- Employees may not use District Equipment for purposes of engaging in non-District-related commercial activities.
- The District licenses the use of computer software from a variety of external sources. The District does not own this software or its related documentation and, unless authorized by the software provider, does not have the right to reproduce, use, or otherwise copy that software. Unauthorized copying or use of software or documentation on any medium is strictly prohibited.
- Employees are expressly warned that they must respect copyright, trademark, trade secret, patent, license, policy and other proprietary rights and restrictions relating to the use, access or download of software or information. No one may download any software or information unless the following criteria have been met: (1) the information or software to be downloaded is directly related to work; (2) the

District authorized the download; and (3) the District determines that the appropriate license fees have been paid.

- Software may only be installed on District equipment by District IT staff. No software may be installed on any District equipment, including screen savers, without proper authorization. The District may, from time to time, conduct system audits to ensure compliance with this policy. Anyone aware of any misuse of District software or related documentation must notify his or her supervisor or manager.
- No personal electronic devices (including but not limited to cellular telephones, tablets, flash drives, or computers) shall be connected to District equipment. The District issues flash drives to all employees for use on District equipment for District business only. If a District-issued flash drive is utilized off-site for official District business, upon return to the office, the flash drive contents shall be scanned for viruses and/or malware using the District's current anti-malware software. Under no circumstances shall the flash drive be utilized on an employee's personal computer or for personal use.
- Any flash drives, CDs, or DVDs provided by consultants, developers, contractors, etc., as well as proceedings from conferences/trainings, will be provided to IT Services Manager for scanning and download or other viewing instructions.
- Any vendor electronic devices (including but not limited to cellular telephones, tablets, flash drives or computers) will only be connected to District equipment upon approval by District IT personnel, as they introduce the risk of infection of the network.

Any questions related to this policy should be directed to the IT Services Manager or Human Resources.

## **Personal and Professional Conduct**

It is District policy that employees maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees and is free from all forms of harassment and violence. Employees are expected to conduct themselves in an appropriate manner as judged by a reasonable person. Employees have the right to conduct their work without disorderly or undue interference from other employees. The District prohibits employees from not complying with the rights of their coworkers.

The District encourages a congenial work environment of respect and professionalism. Therefore, the District prohibits employees from intentionally harming or threatening to harm other employees, vendors, visitors, or property belonging to any of these parties. This prohibition includes, but is not limited to, intentional acts such as:

- Verbally abusing others
- Using intimidation tactics and making threats
- Making malicious, false, or harmful statements about others

- Creating conflict with coworkers, supervisors, visitors, or vendors
- Spreading malicious rumors and “gossiping”
- Treating coworkers or visitors in a discourteous or unprofessional manner

## **Corrective Action**

Groups of people who are working together for any purpose require certain guidelines pertaining to their conduct and relationships. Accordingly, our employees must be aware of their responsibilities to the District and to coworkers.

We strive to take a constructive approach to corrective action matters to ensure that actions that would interfere with operations or an employee's job are not continued and the employee is provided an opportunity to remedy the issue or concern.

The District generally applies the following steps in the progressive corrective action process: (1) oral warning, (2) written warning, (3) suspension with/without pay, and (4) separation of employment. However, where warranted by the nature of the offense or the circumstances, the District, in its discretion, may initiate corrective action at an “advance step” of the corrective action process or implement other corrective measures (i.e., demotion) as determined appropriate by the District. In addition, counseling, “last chance agreements,” and additional performance evaluations may be part of any stage of the corrective process, as the District, in its sole discretion, deems appropriate. Any form of written corrective action taken at step 2 or higher shall impact the employee’s standing with the District for the time period specified in Section 1 of this handbook.

The District retains its right to take into consideration the circumstances of the event and the performance and work history of the employee in determining what employment action will take place on a case-by-case basis. The District, in its discretion, may deviate from the preceding guidelines where it deems appropriate or necessary to do so under the circumstances. In all matters of corrective action, the District reserves complete discretion except as limited by law. In all disputes, investigations or matters of controversy, the District’s determination of the facts, made in good faith, will be conclusive. The District reserves the right to interpret these policies as situations arise, and its interpretation, made in good faith, shall be conclusive.

Non-compliance with District standards will result in corrective action, up to and including separation of employment. In arriving at a decision for proper corrective action, the District will consider the relevant factors, including the seriousness of the infraction, the past record of the employee and other surrounding circumstances.

Although there is no way to identify every possible infraction of the standards of conduct, the following is a partial list of infractions that may result in corrective action.

1. Falsifying employment applications, timecards, or personnel or other District documents or records and general acts of dishonesty
2. Unauthorized use, removal or destruction of District Property or property belonging to another employee
3. Unauthorized distribution or public disclosure of confidential information

4. Gambling, carrying weapons or explosives, or violating criminal laws on District premises
5. Sexual harassment or harassment based upon employee's membership in any protected class
6. Fighting, throwing any item, horseplay, practical jokes or other disorderly or unsafe conduct
7. Engaging in acts of dishonesty, fraud, waste, abuse, or sabotage, including but not limited to destroying, tampering with or restricting access to District Property
8. Threatening, intimidating, coercing, using abusive or vulgar language and/or interfering with the performance of other employees
9. Excessive absenteeism or lateness
10. Any infraction of drug and/or alcohol policy, including possession, sale or use of intoxicants or illegal drugs on District premises, the District vehicles or while on District business
11. Failure to hold a license or certification that is required of the employee's position (e.g. CDL, WWCPA, Group Operator).
12. Insubordination or refusal to comply with instructions or failure to perform reasonable duties, which are assigned
13. Infraction of safety rules or failure to follow safety procedures
14. Damaging or destroying District Property due to careless or willful acts
15. Performance, which, in the District's opinion, does not meet the requirements of the position
16. Engaging in such other practices as the District determines may be inconsistent with the ordinary and reasonable rules of conduct necessary to the welfare of the District, its employees, or customers
17. Infraction of District communication standards
18. Inability or unwillingness to get along with other employees
19. Fraudulent or unauthorized purchases, including misuse or personal use of a District credit card
20. Failure to safeguard District assets
21. Non-compliance with any District rule, policy, or practice, whether written or unwritten

This list is intended to be representative of the types of activities that may result in corrective action. It is not intended to be comprehensive and does not alter the employment-at-will relationship between the employee and the District.

We believe our policies and expectations are clear. If, however, you have any questions concerning the application or intent of these policies, please consult your supervisor or

Human Resources. Employees' cooperation in observing our work standards and expectations will make action unnecessary.

Written corrective action documents will not be considered for further progressive action after the following periods of time, which shall commence on their date of issuance:

- ...2 – Written warning: 1-year (12 months)
- ...3 – Suspension less than 5 days: 2 years (24 months)

There is no limitation on the period of consideration for suspensions of five (5) days or more, last chance agreements, and any prior corrective action taken for reasons related to safety incidents/or violations, discrimination, harassment, or violence in the workplace.

Following the consideration period for further progressive action, as defined above, an employee may submit a written request to Human Resources that an "expired" corrective action document (e.g. 2-written warning or 3-suspension) be removed from their personnel file. Upon receipt of the request, Human Resources will consult with the employee's Department Director and Manager. When deemed appropriate, in management's discretion, Human Resources may approve the request and remove the document from the employee's file. If the request is denied, the document shall be retained in the employee's file. Last chance agreements, suspensions greater than five (5) days, and documents pertaining to safety incidents and/or violations, discrimination and harassment or violence in the workplace shall be retained indefinitely and will not be removed from the personnel file.

### **Search of Property: District and Private**

For the safety of the employees and/or the welfare of the District, it is the policy of the District, when deemed necessary by management, for authorized persons to search and inspect both District Property and personal items brought onto District property, which includes owned or leased facilities, surrounding grounds, access roads, and parking areas. Refusal to cooperate in a lawful search, inspection, or investigation will result in corrective action, up to and including separation from employment.

District Property. All District Property is eligible for search and shall include, but is not limited to, vehicles, owned or leased, individual lockers, desks, filing cabinets, phones, and computers.

Personal Property. Personal property brought onto District grounds is eligible to be searched and shall include, but is not limited to, pockets, purses/wallets, briefcases, lunch boxes, toolboxes, shopping bags/boxes, and coats. The search of personal property excludes the search of an employee's privately owned vehicle located on District grounds, except when the search of the employee's vehicle is authorized by state law (RCW 49.44), which includes but is not limited to:

- Lawful searches by law enforcement officers;
- Employee use of a privately owned vehicle for work-related activities when the District needs to inspect the vehicle to ensure the vehicle is suited to conduct the work-related activities;



- A reasonable person would believe that accessing an employee's vehicle is necessary to prevent an immediate threat to human health, life, or safety;
- When an employee consents to a search of their privately owned vehicle by the District and/or its agent, based on probable cause that the employee unlawfully possesses (i) District Property or (ii) a controlled substance in violation of both federal law and the District's written policy prohibiting drug use. The employee's consent must be given immediately prior to the search, and the District may not require that the employee waive consent as a condition of employment. Upon consent, the employee has the right to select a witness to be present for the search.

*Employees have no reasonable expectation of privacy as to the District's premises and/or any property brought thereupon, except as outlined above with respect to private vehicles brought upon District grounds.*

The decision to search, under most conditions, will involve the department manager, the General Manager and Human Resources whenever possible. The department manager or supervisor and General Manager or Human Resources will determine the reasonableness of a search or inspection. Whenever possible, a minimum of three personnel will be required to perform the search: two to conduct the search and one to document and record the inventory and event. The person observing the search must be of the same gender as the person whose belongings are being searched.

Documentation will include the following:

1. Why the search was conducted (observed events, seriousness of the offense, and reliability of the source)
2. Who was involved
3. Where was the search conducted
4. Date and time of the search
5. What, if anything, was found
6. What actions were taken with the person involved
7. What final instructions were given to the employee

Human Resources will immediately report to the appropriate authorities any illegal items that are found and document such notification. This may result in corrective action, up to and including separation of employment from the District.

## **SECTION 6**

### **DISTRICT SAFETY AND HEALTH**

## **District Safety and Health Overview**

The District strives to provide safe working conditions for our employees. We observe the safety laws of the government within whose jurisdiction we operate. No one will knowingly be required to work in any unsafe manner. Safety is every employee's responsibility, and all employees are expected to do everything reasonable and necessary to keep the District a safe place to work.

### **Fires and Emergencies**

IN CASE OF EMERGENCY, DIAL 911. Exits, fire extinguishers and first aid kits are located throughout the District's buildings. An Automated External Defibrillator (AED) unit is located in the copier room by the front desk. We also have volunteers trained in cardio-pulmonary resuscitation (CPR), AED and first aid. Exits and areas around fire extinguishers must be kept clear at all times.

### **Accidents**

No matter how insignificant a workplace accident may seem when it occurs, notify your supervisor immediately before the end of your shift and complete the appropriate accident report detailing the incident and injury sustained. In the event of a time-loss accident or an accident requiring medical treatment, ensure that Human Resources is notified immediately, in accordance with the Occupational Illness and Injury Reporting Policy below. Employees who fail to report an accident as required herein shall be subject to corrective action, up to and including separation of employment.

### **Occupational Illness and Injury Reporting Policy**

It is important that all workplace injuries and illnesses are reported to management as soon as reasonably possible after they occur. Prompt reporting allows for prompt identification and correction of hazards and prompt medical attention for injuries. In some instances, an employee may not immediately realize that they have been injured or made ill. In such circumstances, the employee must report the injury or illness as soon as reasonably possible after becoming aware of the injury or illness. Therefore, the following policy applies to work-related injury and illness reporting: 1) An employee who is at work when they become aware of an injury or illness must report it as soon as reasonably possible, but in no event later than leaving the District, or 8 hours after becoming aware of the injury or illness, whichever is earlier. The report must be made to the employee's supervisor or, if prompt medical attention is needed, to Emergency Services. 2) An employee who is not at work when they become aware of an injury or illness must report it as soon as reasonably possible, but in no event later than 8 hours after becoming aware of the injury or illness. The employee must report the injury or illness by calling their supervisor or the applicable call-in procedures, explaining that they are reporting a work-related injury or illness. 3) No employee who complies with this policy will receive corrective action for not promptly reporting an injury or illness. Supervisors must not interfere with or attempt to discourage reporting under this policy.

### **Safety Program**

The District follows state and federal Safety rules that are contained in the adopted Safety Policy and Procedures Manual (a hard copy of which is located in each department, and an electronic copy is accessible on the District's network). Each employee is responsible

for becoming familiar with the Safety Policy and Procedures Manual and adhering to the policies and procedures outlined in that manual at all times. The Safety Program includes, but is not limited to, an Accident Prevention Program and Safety Orientation.

### **Accident Prevention Program**

The District prioritizes the safety of each employee and strives to ensure a safe environment for all. The District wants to ensure that our staff understands the specific safety expectations of their position and knows what to do in case of a safety concern or incident. They should also learn how to prevent and report hazardous and unsafe incidents, as well as near misses. The District has an Accident Prevention Program, which outlines how to identify and report hazards in the workplace and how to mitigate them. This includes the District's Hepatitis A/B Prevention Program.

### **Safety Orientation**

Each employee, upon hire, will undergo a Safety Orientation with the District's Safety Officer, who will identify and provide information and training on all safety-related issues relevant to their position and the environments in which they will work. The District has identified specific safety topics and training relevant to each employee's position description. It will provide initial and refresher training as required by state and federal safety requirements at no cost to employees.

### **Health Emergency Labor Standards Act**

During a declared public health emergency:

1. Within 24 hours of confirming that ten (10) or more employees at the workplace or worksite have tested positive for an infectious or contagious disease that is the subject of a public health emergency, the District will report the positive tests to the Department of Labor and Industries (L&I) in a form prescribed by L&I.
2. If the District receives a notice of potential exposure to the infectious or contagious disease that is the subject of a public health emergency, the District will, within one business day of potential exposure, provide written notice to all employees and the employers of subcontracted employees, who were on the premises at the same worksite as the qualifying individual that they may have been exposed to the infectious or contagious disease. The written notice will be made in a manner the employer normally uses to communicate employment-related information.

## **HANDBOOK RECEIPT AND ACKNOWLEDGEMENT**

## **HANDBOOK RECEIPT AND ACKNOWLEDGEMENT**

I acknowledge that I have received a copy of the Clark Regional Wastewater District (District) Employee Handbook and have read and understand the District Employee Handbook. I agree to conform to the rules, policies, and procedures of the District. I understand that neither spoken nor written representations, including this Handbook, create any expressed or implied contract of employment between the District and me. I agree that my employment is voluntary or at-will, so that I have the right to terminate my employment at any time for any reason and that the District has the same right.

I understand and agree that the provisions of the Handbook may be amended or revised at any time, without notice, at the District's discretion and that this Handbook is not an exhaustive statement of District rules, policies, or procedures.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

## OTHER ADOPTED DISTRICT PLANS/POLICIES

- 1 – [Classification Ranges & Position Table](#) and [Organization Chart](#)
- 2 – [Compensation Plan](#)
- 3 – [Reimbursable Expense & Travel Advance Policy](#)
- 4 – [Purchasing Policy](#)
- 5 – [Sensitive & Non-Public Information Policy, Including Identify Theft Prevention](#)
- 6 – [Greenhouse Gas Emissions Reduction Policy](#)
- 7 – [Conflict of Interest Policy](#)